

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NE/S Elm Ridge
Avenue, 700' NE of Highview Ave. * DEPUTY ZONING COMMISSIONER
(Rear of Lot 470 on Elm Ridge Avenue)
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District
* Case No. 97-362-SPHA
Baltimore County, Maryland, Legal Owner;
James F. Fawcett, Contract Purchaser - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance for property located to the rear of Lot 470 on Elm Ridge Avenue, in the vicinity of Wilkens Avenue in Catonsville. The Petitions were filed by the owner of the property, Baltimore County, Maryland, and the intended Contract Purchaser, James F. Fawcett. The Petitioners seek approval of a building, 15' x 27' in dimension, for the storage of books, papers and personal possessions, as a principal use on a vacant lot, 20' wide by 37' long. In the alternative, the Petitioners seek a variance from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building as a principal use on a vacant lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions were Mr. and Mrs. James F. Fawcett, the intended Contract Purchasers. Appearing as Protestants in the matter were Ronald and Linda Natale, adjoining property owners, and Eleanor Van Devender, President of the Maiden Choice Community Association.

Testimony and evidence offered revealed that the property which is the subject of this request is an unimproved lot, 20' wide by 37' long,

ORDER RECORDED FOR FILING

Date

By

RECORDED

located across an alley from the rear of Lot 470 on Elm Ridge Avenue. This lot, also known as Lot X of Elm Ridge, contains approximately 740 sq.ft., zoned D.R. 15.5, and was purchased by Baltimore County in 1985 for delinquent taxes. The Petitioners, Mr. and Mrs. James Fawcett, are desirous of purchasing this lot to construct an accessory building in which to store Mr. Fawcett's personal possessions. Testimony revealed that Mr. Fawcett intends to move in the near future to the Charlestown Retirement Community to join his wife, who currently resides there. Mr. Fawcett testified that he has many treasured personal possessions which will not fit into their apartment at Charlestown and that storage there is extremely limited. He testified that the subject property is within walking distance of Charlestown and would be a convenient location for his storage building.

As noted above, Ronald and Linda Natale appeared in opposition to the request. Mr. & Mrs. Natale reside on Lot 471 on Elm Ridge Avenue and own Lot Y, located adjacent to the subject property. Mr. & Mrs. Natale have a small garage on Lot Y and are opposed to Mr. Fawcett's plans to construct a storage building on Lot X, in view of the problems they have experienced with their own garage. They testified that this area behind their home has become a haven for mischief and young people to hang out, smoke marijuana, write graffiti on various structures, and otherwise vandalize properties in this neighborhood. They believe that the construction of a storage building as proposed would attract more problems to the area, including vandalism to Mr. Fawcett's building, as well as the possible theft of Mr. Fawcett's personal belongings that he plans to store therein. Therefore, they are strongly opposed to the construction of any buildings in the area along the 15-foot wide alley that runs behind their home.

In addition, Ms. Van Devender, on behalf of the Maiden Choice Improvement Association, is also opposed to any newly constructed building as well as any existing buildings at this location. Ms. Van Devender is aware that the area along this alley has been a high crime area and that juveniles and criminals alike have congregated in this area to engage in general forms of mischief. She strongly believes that the construction of the proposed storage structure will only exacerbate the situation.

A representative of the Bureau of Land Acquisition for Baltimore County also attended the hearing. This individual indicated that should the special hearing and variance relief requested herein be granted, the County would offer the subject property for public auction and sell the property to the highest bidder. In the event the special hearing and variance are denied, basically preventing the property from being improved, the property would be offered for sale to an adjacent property owner for incorporation into that owner's property.

After considering the testimony and evidence offered by the Petitioners as well as the Protestants who attended the hearing, I am persuaded to deny the special hearing and variance requests. No where contained within the various Sections of the B.C.Z.R. dealing with D.R. zoned land is there a provision which allows the construction of a storage building on a vacant lot as a principal use. Furthermore, in order for the subject structure to meet the requirements of an accessory building, Mr. Fawcett would have to reside on the property or an adjacent lot. Inasmuch as the Fawcett's do not own any dwellings adjacent to or nearby the subject lot, their request must be denied.

ORDER RECEIVED FOR FILING

Date

By

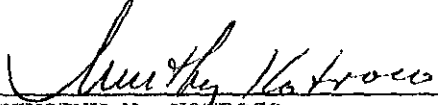
4/14/97
[Signature]

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance requests should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of April, 1997 that the Petition for Special Hearing to approve a building, 15' x 27' in dimension, for the storage of books, papers and personal possessions, as a principal use on a vacant lot, 20' wide by 37' long, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building as a principal use on a vacant lot, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 14, 1997

Mr. & Mrs. James F. Fawcett
223 Rollingfield Road
Catonsville, Md. 21228

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NE/S Elm Ridge Avenue, 700' NE of Highview Avenue
(Rear of Lot 470 on Elm Ridge Avenue)
13th Election District - 1st Councilmanic District
Baltimore County, Maryland, Legal Owner;
James F. Fawcett, Contract Purchaser - Petitioners
Case No. 97-362-SPHA

Dear Mr. Fawcett:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Arnold Jablon, Director, DPDM

People's Counsel

~~File~~

MICROFILMED





Petition for Special Hearing

97-362-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at REAR OF LOT 470 ELM RIDGE AVE

which is presently zoned DR16.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve **FOR AN INTERPRETATION TO PERMIT A BUILDING 15 FEET WIDE BY 27 FEET LONG BY 8 FEET HIGH FOR USE AND STORAGE OF BOOKS, PAPERS AND PERSONAL POSSESSIONS AS PRINCIPAL USE ON VACANT LOT 20 FEET WIDE BY 37 FEET LONG.**

PROPERTY IS CURRENTLY OWNED BY BALTIMORE COUNTY, MARYLAND — THIS PETITION IS CONTINGENT ON APPLICANT BEING ABLE TO PURCHASE LOT PURSUANT TO APPLICABLE LAW.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

JAMES F. FAWCETT

(Type or Print Name)

James F. Fawcett

Signature

223 ROLLINGFIELD ROAD

Address

CATONSVILLE, MD 21228

City

State

Zipcode

TEL (410) 744-0298

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

BALTIMORE COUNTY, MARYLAND

(Type or Print Name)

Signature

Arnold Jablon, Dir. POM

(Type or Print Name)

Signature

111 Chesapeake Ave. **887-3391**

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

J. Fawcett

Name

223 Rollingfield Rd. 744-0298

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *J. Fawcett*

DATE

2-26-97

362

ORDER RECEIVED FOR FILING

Date

By





Petition for Variance

97-362-5PH A

to the Zoning Commissioner of Baltimore County

for the property located at REAR OF LOT 470 ELM RIDGE AVE

which is presently zoned DRM.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) TO PERMIT BUILDING 15 FEET WIDE BY 27 FEET LONG BY 8 FEET HIGH AS PRINCIPAL USE FOR USE AND STORAGE OF BOOKS, PAPERS AND PERSONAL POSSESSIONS ON LOT 20 FEET WIDE BY 37 FEET LONG.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

TO BE DEVELOPED AT HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

JAMES F. FAWCETT

(Type or Print Name)

James F. Fawcett

Signature

223 ROLLINGFIELD ROAD

Address

CATONSVILLE, MD 21228

City

State

Zipcode

TEL (410) 744-0298

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

BALTIMORE COUNTY MARYLAND

(Type or Print Name)

Signature

Arnold Jablon, Dir. PDM

(Type or Print Name)

Signature

111 Chesapeake Ave. 887-3371

Address

Phone No.

Towson MD. 21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

J. Fawcett

Name

223 ROLLINGFIELD RD. 744-0298

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: Jim DATE 2-26-97

362



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

ZONING DESCRIPTION FOR

LOT "X" (NOT ABUTTING PUBLIC RD.)

97-362-
3 PHA

PROPERTY BEING KNOWN AS LOT "X" AS
SHOWN ON THE RECORD PLAT OF

ELM RIDGE, PLAT BOOK C.H.K. No. 13, FOLIO

96, BEING LOCATED ON THE N.E/S OF
THE ALLEY ~~TO THE REAR~~ ^{BEHIND} OF THE PROPERTY
KNOWN AS 470 ELM RIDGE AVE, SAID

LOT "X" BEING LOCATED 700' +/- N.W. FROM
Highview Ave. LOCATED IN THE 13 ELECTION DIST.,
1ST COUNCILMANIC DIST.

CONTAINING 740.0 SQ. FT. +/-

362

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property

Identified herein as follows:

Case: #87-362-6PHA
NE/S Alley, 700' +/- NW from
Highview Avenue, adjacent to
470 Elmridge Avenue
Lot X, Plat Elm Ridge 13/96
13th Election District
1st Councilmanic
Legal Owner(s):
Baltimore County, Maryland
Contract Purchaser:
James F. Fawcett

Special Hearing: to approve
an accessory structure build-
ing as a principal use on a va-
cant lot. **Variance:** to permit
an accessory storage building
as a principal use on a vacant
lot in lieu of the same lot as a
principal dwelling.

Hearing: Thursday, April 3,
1997 at 2:00 p.m. in Rm.
118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

3/166 March 13 C126341

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/13, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/13, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

ALTIMORE COUNTY, MARYLAND No. 032648

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2-26-97 ACCOUNT 8001-6150

AMOUNT \$ 100.00

RECEIVED FROM: James Fauchet 223

SP-HPC (030)
FOR: VAD (010)

01A00#0051MICHRD
BA 0009#47AM02-26-97 \$100.00

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

97-362-
SPHA

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 97-362-A

Petitioner/Developer: _____

JAMES A. FAWCETT

Date of Hearing/Closing: APRIL 3, 1997

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at LOT X PART 5 PART
OF ELM RIDGE LOT W-2 & Z-1, IN THE REAR
OF #947 ELM RIDGE AVE.

The sign(s) were posted on MARCH 15, 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 362

Petitioner: JAMES FAWCETT

Location: 223 Lot "X" PLAT ELm RIDGE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES FAWCETT

ADDRESS: 223 ROLLINGFIELD RD.
CATONSVILLE, Md. 21228

PHONE NUMBER: 410-744-0298

AJ:ggs

MICROFILMED

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-3102-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE AN ACCESSORY
STORAGE BUILDING AS A PRINCIPAL USE ON A VACANT
LOT. VARIANCE TO PERMIT AN ACCESSORY STORAGE
BUILDING AS A PRINCIPAL USE ON A VACANT
LOT IN LIEU OF ON THE SAME LOT AS A
PRINCIPAL DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-362-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

PETITION FOR VARIANCE.

REQUEST: To permit building 15 ft. wide by
27 ft. long by 8 ft. high as principal
use for use ~~and~~ and storage of books,
papers and personal possessions on lot 20
feet wide by 37 feet long, and to approve
any variances deemed necessary at time of hearing.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-362-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

PETITION FOR SPECIAL HEARING

REQUEST: For an interpretation to permit a
building 15 wide by 27 feet long by 8 feet
high for use and storage of books, papers
and personal possessions as principal
use on vacant lot 20 feet wide by 37
feet long.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
March 13, 1997 Issue - Jeffersonian

Please forward billing to:

James Fawcett
223 Rollingfield Road
Catonsville, MD 21228
744-0298

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-362-SPHA
NE/S Alley, 700'+/- NW from Highview Avenue, adjacent to 470 Elmridge Avenue
Lot X, Pat Elm Ridge 13/96
13th Election District - 1st Councilmanic
Legal Owner(s): Baltimore County, Maryland
Contract Purchaser: James F. Fawcett

Special Hearing to approve an accessory structure building as a principal use on a vacant lot.
Variance to permit an accessory storage building as a principal use on a vacant lot in lieu of the same lot as a principal dwelling.

HEARING: THURSDAY, APRIL 3, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-362-SPHA

NE/S Alley, 700' +/- NW from Highview Avenue, adjacent to 470 Elmridge Avenue

Lot X, Pat Elm Ridge 13/96

13th Election District - 1st Councilmanic

Legal Owner(s): Baltimore County, Maryland

Contract Purchaser: James F. Fawcett

Special Hearing to approve an accessory structure building as a principal use on a vacant lot.

Variance to permit an accessory storage building as a principal use on a vacant lot in lieu of the same lot as a principal dwelling.

HEARING: THURSDAY, APRIL 3, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, which appears to read "Arnold Jablon". The signature is fluid and cursive.

Arnold Jablon
Director

cc: James F. Fawcett

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 19, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 27, 1997

Arnold Jablon, Director of PDM
Baltimore County, MD
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No.: 362
Case No.: 97-362-SPHA
Petitioner: Baltimore County, MD

Dear Mr. Jablon:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 26, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a circular stamp that contains the word "RECEIVED".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

INTEROFFICE CORRESPONDENCE

Date: March 17, 1997

SUBJECT: Zoning Advisory Committee Meeting
for March 17, 1997
Item No. 362

cc: File

ZONE317.362

Tum
4/1/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and Development Management

DATE: March 17, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Property adjacent to 470 Elm Ridge Avenue

INFORMATION:

Item Number: 362

Petitioner: Baltimore County, Maryland

Property Size: _____

Zoning: DR 10.5

Requested Action: Special Hearing & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This request to locate an accessory structure on a lot which is not improved with a principle use raises concerns from a community conservation perspective. To allow accessory structures to be erected on unimproved property at any residential location in Baltimore County would set a dangerous precedent.

Clearly, the erection of an accessory structure at this site would not enhance the character of the neighborhood. What is more, the use would seem likely to be incompatible with the built environment. County citizens typically use commercial storage facilities to accommodate additional storage needs. For that reason, the use of noncontiguous property for storage purposes suggests that such a land use would not be primarily residential in character and; therefore, inconsistent with the spirit and intent of the Baltimore County Zoning Regulations.

Prepared by: *Jerry W. L...*

Division Chief: *Gary L. Kerns*

AFK/JL:rdn



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-11-97
Item No. 362 JCM

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/13/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 14, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 353 367
 356
 358
 359
 360
 361
 (362)
 363
 364
 365

RBS:sp

BRUCE2/DEPRM/TXTSBP

ENCLOSURE

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 12, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING of March 10, 1997.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367



file
97-362-5PKA

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Arnold Jablon, Director DATE: June 4, 1997
Department of Permits & Development Management

FROM: Timothy M. Kotroco
Deputy Zoning Commissioner *TMK*

SUBJECT: James F. Fawcett Letter
448 & 449 Elm Ridge Avenue

This letter is being written in response to the letter written by Mr. James F. Fawcett addressed to you dated June 4, 1997 in which he has indicated that I have personal knowledge as to the use and improvements on the above-captioned property.

By way of background, both Larry and myself met with Mr. Fawcett and his wife to discuss his proposal to use a garage, located on property on which he does not reside, for storage space and advised him how he might proceed. However, I am not familiar with the subject property, or others in its vicinity, or the existence of any garage purported to be located thereon, as indicated in Mr. Fawcett's letter. Mr. Fawcett has indicated that he has knowledge of the property to this effect and can provide proof of same in order to proceed with his plans. In any event, my knowledge of the property is limited to what Mr. Fawcett represented to me at our meeting.

Should you have any questions concerning this matter, please do not hesitate to contact me.

TMK:bjs

cc: Mr. James F. Fawcett
223 Rollingfield Road, Catonsville, Md. 21228

~~Mr. Mitch Kellman~~

✓ File

3.11.97 (11:30)

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE *
NE/S Alley, 700'+/- NW from Highview Ave, * ZONING COMMISSIONER
adjacent to 470 Elmridge Avenue (Lot X, *
Pat Elm Ridge 13/96), 13th Election * OF BALTIMORE COUNTY
District, 1st Councilmanic *
 * CASE NO. 97-362-SPHA
Legal Owner(s): Baltimore County, Maryland *
Contract Purchaser: James F. Fawcett *
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

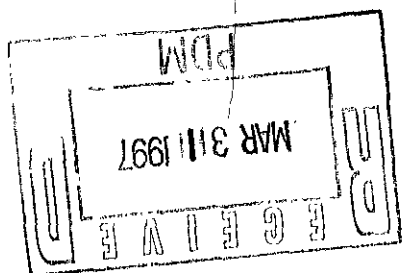
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Director Baltimore County PDM, 111 Chesapeake Avenue, Towson, MD 21204, and to J. Fawcett, 223 Rollingfield Road, Baltimore, MD 21228, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



M.D.A.T. REAL PROPERTY SYSTEM
BALTIMORE COUNTY

06/03/97

OWNER INFORMATION

DISTRICT: 13 ACCT NO: 1313080020

USE: RESIDENTIAL

OWNER NAME: MCGUIRK CATHERINE M

PRINCIPAL
RESIDENCE
NO

MAILING ADDRESS: 709 E MAPLE RD
LINTHICUM HTS

MD 21090

TRANSFERRED
FROM: MCGUIRK RAYMOND T

DATE: 10/03/90 PRICE: \$0

DEED REFERENCE: 1) / 8612/ 596
2)

POTENTIAL TAX LIABILITY

* NONE *

TAX EXEMPT: NO

FUNCTION KEY INVALID FOR THIS SCREEN, TRY AGAIN
PRESS: <F1> LOCATION INFO <F2> VALUE INFO

<F6> SELECT NEXT PROPERTY

M.D.A.T. REAL PROPERTY SYSTEM
BALTIMORE COUNTY

06/03/97

LOCATION INFORMATION

DISTRICT: 13 ACCT NO: 1313080020
NAME: MCGUIRK CATHERINE M

USE: RESIDENTIAL

PREMISE ADDRESS
ELM RIDGE RD

ZONING LEGAL DESCRIPTION

ELM RIDGE

MAP GRID PARCEL SUBDIV SECT BLOCK LOT GROUP
101 17 1107 A 80

PLAT NO :
PLAT REF: 13/ 47

SPECIAL TAX AREAS -

PRIMARY STRUCTURE DATA
YEAR BUILT ENCLOSED AREA
0000

PROPERTY LAND AREA
432.00 SF

COUNTY
USE
04

PRESS: <F1> OWNER INFO <F2> VALUE INFO

<F6> SELECT NEXT PROPERTY

10/03/90

VALUE INFORMATION

DISTRICT: 13 ACCT NO: 1313080020

NAME: MCGUIRK CATHERINE M

USE: RESIDENTIAL

	BASE VALUE	CURRENT VALUE AS OF 01/01/95	PHASE-IN VALUE AS OF 07/01/97	PHASE-IN ASSESSMENTS AS OF 07/01/96	PHASE-IN ASSESSMENTS AS OF 07/01/97
LAND :	640	430			
IMPTS :	1,200	1,230			
TOTAL :	1,840	1,660	1,660	660	660
PREF LAND:	0	0	0	0	0

PARTIAL EXEMPT ASSESSMENTS

	CODE	07/01/96	07/01/97
COUNTY	000	0	0
STATE	000	0	0
MUNICIPAL	000	0	0

PRESS: <F1> OWNER INFO <F2> LOCATION INFO

<F6> SELECT NEXT PROPERTY

97-362-SPHA

The Maryland Court of Special Appeals in Hofmeister, et al v. Frank Realty Company, dealing with Baltimore County Zoning Regulations ruled that both "Use Permits" and "Section 502 Special Exceptions" are all classified within the board category of special exceptions:

"Notwithstanding this differentiation between the species, we think it preeminently clear that the singling out of certain conditional uses for special treatment in Art. 4 of the BCZR did not in any fashion denigrate from their credentials as members in continued good standing of the genus "Special Exceptions." Art. 4, in its Statement of Purpose, makes the reason for the distinct treatment quite clear:

"Certain uses, whether permitted as of right or by special exception, have singular, individual characteristics which make it necessary, in the public interest, to specify regulations in greater detail than would be feasible in the individual use regulations for each or any of the zones or districts. This article, therefore, provides such regulations." (Emphasis supplied)

SECTION 400.1.a - ACCESSORY BUILDINGS - Waterfront Property - When determining the placement of accessory structures on waterfront lots, the following factors will be considered:

- (1) The orientation of the existing dwelling and other buildings on the lot.
- (2) The orientation of other houses and accessory buildings on other nearby waterfront lots.
- (3) An inspection of the property is usually made to determine the existing conditions.
- (4) See the following cases: 84-275-A
85-106-SPH
89-100-SPH Pier Rights

Waterfront construction (piers, mooring piles, bulkheads) can be built on unimproved lots, under Section 417, provided that no accessory buildings/structures are constructed.

SECTION

400.1.b ACCESSORY STRUCTURES/USES-Vacant Property- If two or more lots are under the same ownership and one lot is improved with a dwelling and an accessory structure is proposed on an adjacent lot, this may be accomplished by:

- (1) Straddling the joint property line; or
- (2) Combining the vacant lot with the dwelling lot under one metes and bounds description, with one tax account number, if possible.
- (3) When two lots are combined for the purpose of building an accessory structure, the owner must have exclusive use of all of the property between the dwelling and the accessory structure, with no easements or rights-of-way between the lots.
- (4) You cannot variance an accessory structure on a vacant lot.
- (5) See the following case: 88-206-SPH

400.1.c ACCESSORY STRUCTURES/USES - R.C. Zoned Property

- (1) Is subject to the provisions of Section 400 B.C.Z.R. & Z.C.P.M.
- (2) Farms or farmette structures are only subject to Section 404.2 B.C.Z.R. & Z.C.P.M. (Page 4-6) except for swimming pools which are subject to Section 400 BCZR & ZCPM (See Case #88-206-SPH).

MAIDEN CHOICE COMMUNITY ASSOCIATION

P. O. Box 18262, Halethorpe, MD 21227

RESOLVED: That at the Board Meeting held on April 1, 1997, the Board voted to oppose the approval and variance to permit an accessory storage building as a principal use on a vacant lot adjacent to 470 (sic) Elmridge Avenue in lieu of the same lot as a principal dwelling at a Hearing before the Baltimore County Zoning Commissioner (Case No. 97-362-SPHA) to approve said use.

AS WITNESS OUR HANDS AND SEAL this 1st day of April, 1997.

ATTEST:

MAIDEN CHOICE COMMUNITY
ASSOCIATION, INC.

Donna A. Cameron
Donna A. Cameron, Secretary

By: Eleanor R. VanDevender
Eleanor R. VanDevender
President

MAIDEN CHOICE COMMUNITY ASSOCIATION

P. O. Box 18262, Halethorpe, MD 21227

AFFIDAVIT

I, Eleanor R. VanDevender, President of the Maiden Choice Community Association, Inc. ("Association"), hereby certify that the following duly authorized officers and directors of the Association may represent, speak and/or testify on behalf of the Association at any proceeding, hearing, trial, and/or meeting held in the State of Maryland for the period March 11, 1997 through March 31, 1998:

Eleanor R. VanDevender	President
Donna A. Cameron	Secretary
Deborah Pepe	Treasurer
Mildred Filippino	Member-at-Large
Mary King	Member-at-Large
Lenora McKenzie	Member-at-Large

I hereby certify under penalty of perjury that the information contained herein is accurate to the best of my knowledge, information and belief.

AS WITNESS OUR HANDS AND SEAL this 11th day of March, 1997.

ATTEST:

MAIDEN CHOICE COMMUNITY
ASSOCIATION, INC.

Donna A. Cameron
Donna A. Cameron, Secretary

By: *Eleanor R. VanDevender*
Eleanor R. VanDevender
President

223 Rollingfield Road
Catonsville, Maryland 21228

June 4, 1997

Mr. Arnold Jablon
Director PDM
111 West Chesapeake Ave., Room 109
Towson, Maryland 21204

RE: Request authorization to use garage for use and storage of books,
papers and personal possessions

ENCL: 1. Property tax print out District: 13, Acct. No. 1313080020
2. Deed Liber 8612 folio 596
3. Plat 5 revised layout of Elm Ridge
4. Plat 7

Dear Mr. Jablon:

I plan to buy an existing one car garage property number: District:
13, Account No. 1313080020, deed reference 8612/596. The garage is located
at the rear of lots 448 and 449 Elm Ridge Ave. in the Arbutus area of
Baltimore County.

I plan to use the garage for use and storage of books, papers and
personal possessions.

Mr. Timothy M. Kotroco, Deputy Zoning Commissioner for Baltimore County
personally spoke to Mr. Mitch Kellman and discussed this issue with him.
Mr. Kotroco advised Mr. Kellman that this garage, as well as others around
it have existed on this property since prior to 1945. Plats and deeds
also verify the existance of this garage since prior to 1945.

Would you be so kind as to authorize me, in writing, permission to
use the building as stated above.

Yours truly,

James F. Fawcett

CC: Mr. Timothy M. Kotroco, Deputy Zoning Commissioner for Baltimore
County

Mr. Mitch Kellman

ENCLOSURE

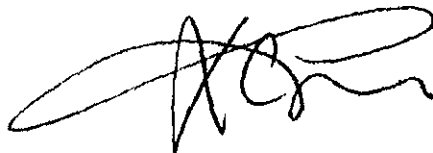
04-02-97

To Whom it may CONCERN:

I Nick C. LANDAVERE OWNER
OF 953 ELMRIDGE AND
947 ELMRIDGE AVE. Am

APPOSED TO THE BUILDING OF A STORAGE
FACILITY Directly Behind my 947 Elmdridge Ave
Property.

Sincerely



NICK LANDAVERE
OWNER

Any? PLEASE CONTACT ME A 242-1232

- 2) I am very much opposed to have a storage building behind
my property.
Dorothy W. Montgomery
945 Elmdridge Ave.
Baltimore, MD, 21229
- 3) Ron & Linda Natale
owner 949 Elmdridge Ave

REC-115

TRANSFER TAX NOT REQUIRED
BALTIMORE CITY, MARYLANDPer Joy Burgoon
Date 9-28-90 Sec. 11-85 HTRANSFER TAX
NOT APPLICABLERECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore CountySIGNATURE [Signature] DATE 9-28-90 NO TITLE SEARCH
NO CONSIDERATIONBy [Signature] Date 9-28-90

THIS DEED, made this 21st day of September, 1990,
by and between RAYMOND T. McGUIRK and CATHERINE M. McGUIRK, his
wife, (the said Raymond T. McGuirk have departed this life on May
28, 1983), of Anne Arundel County, State of Maryland, parties of
the first part, to CATHERINE M. McGUIRK, of Anne Arundel County,
State of Maryland, party of the second part.

WHEREAS, that in consideration of the sum of no actual
consideration, the said parties of the first part do grant and
convey unto the said party of the second part, life tenant, (with
full powers), in fee simple, all that parcel of land situate in
Baltimore County and described as follows, that is to say:

BEING all that lot of ground situate and lying in
Baltimore County in the State of Maryland known and designated as
Garage Lot "A" on Plat 7, Revision and addition to Plat 6,
showing 9 garages in rear of Lots 447-448-449-450 and 451 as
shown on Plat 5 revised layout of Elm Ridge, said Plat 7 being
recorded simultaneously herewith.

BEING the same lot of ground which by Deed dated April
9, 1943, and recorded among the Land Records of Baltimore County
in Liber R.J.S. No. 1281, Folio 447, was granted and conveyed by
Elmer G. Runge and Amelia J. Runge, his wife, to Raymond T.
McGuirk and Catherine M. McGuirk, his wife, the said Raymond T. McGuirk
having departed this life on May 28, 1983, the above
named Grantors.

TOGETHER with the improvements thereon, the rights
ways, waters, privileges, and appurtenances thereto belonging or
appertaining.

TO HAVE AND TO HOLD the said lot of ground and
premises, above described and mentioned, and hereby intended to

NEED 0 #
SM CLERK 15.00
10/03/90 002 R02 T14:18

be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Catherine M. McGuirk, as Grantee, and during the term of her natural life with full powers to sell, mortgage, or otherwise dispose of the said property or any part of any interest therein, including the absolute estate therein and including the estate in remainder as well as the life estate (except by Last Will and Testament) and without the consent of any remaindermen herein, or any other person, and the proceeds of any sale or disposition thereof or money so borrowed and secured by any mortgage thereof to take and expend or dispose of in any manner as she may wish or to consume for her own purpose without obligation on the part of the purchaser, mortgagee, lessee or grantee to see to the application of the purchase money or money so borrowed or any money which may be the proceeds of any sale, mortgage, lease or disposition of any part of or any interest in said property, from and immediately after the death of the said Catherine M. McGuirk, the whole of said property or as to so much thereof or any interest therein as may not have been disposed of by the said Catherine M. McGuirk, under said powers, then to Patricia Ann Vachino, or her heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or

thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantors.

Test:

Sharon M. Coppage Catherine M. McGuirk (SEAL)
CATHERINE M. MCGUIRK

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this 21st day of Sept. , in the year one thousand nine hundred and ninety, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Catherine M. McGuirk, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sharon M. Coppage
NOTARY PUBLIC

My Commission Expires: 4/1/92

RETURN TO:

Allan G. Iannacone, Esq., P.O. Box 88, Monkton, MD 21111-0088

LIBER 1681 561
such further assurance thereof as may be requisite.

Witness the hands and seals of said Mortgagors.

Test:

Agnes L. Napfel

Agnes L. Napfel

Carl W. Martin (Seal)

Carl W. Martin

Blanche I. Martin (Seal)

Blanche I. Martin

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 1st day of September, 1948, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared Carl W. Martin and Blanche I. Martin, his wife, the Mortgagors named in the foregoing mortgage and they acknowledged said Mortgage to be their act.

At the same time also appeared John T. Backman, Attorney or Agent of said body corporate, and made oath in due form of law that the consideration set forth in said Mortgage is true and bona fide as therein set forth; and also made oath that he is the Agent of the Mortgagee and is duly authorized to make this affidavit.

Witness my hand and Notarial Seal.

(Notarial Seal) Agnes L. Napfel

Agnes L. Napfel Notary Public

(Recorded Sep 2 1948 at 9:45 AM & exd per) T. Braden Silcott - Clerk (Red by dps)
EXD BY ARM&AJ

67590 Elmer H Balderson et al) THIS DEED, Made this 13th day of August, in the
Deed to Walter Lawrence Nelson Jr et al) year one thousand nine hundred and forty-eight,
US \$55.55 SS \$55.55 -----) by and between Elmer H. Balderson and Laura E.
Balderson, his wife of Baltimore County, in the State of Maryland, of the first part, and
Walter Lawrence Nelson, Jr. and Yvonne Carolyn Nelson, his wife, of the second part.

WITNESSETH, That in consideration of the sum of Five (\$5.00) Dollars and other valuable considerations the said Elmer H. Balderson and Laura E. Balderson, his wife do grant and convey unto the said Walter Lawrence Nelson, Jr. and Yvonne Carolyn Nelson, his wife, as tenants by the entirety, their assigns and the heirs and assigns of the survivor, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, State, aforesaid, and described as follows, that is to say:-

Known and designated as Lot "X" on Plat of Subdivision of part of Section shown as "reserved" on Plat 5 (recorded Plat Book No. 12 folio 65) Part of Elm Ridge filed among the Plat Records of Baltimore County) Subject Plat herein being filed among the Plat Records of Baltimore County in Liber R J S No. 13 folio 96.

BEING the same lot of ground which by deed dated November 27th, in the year 1944 was granted and conveyed by Elmer G. Runge and Amelia J. Runge, his wife, to the within grantors,

and recorded among the Land Records of Baltimore County in Liber R. J. S. No. 1373, folio 237.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; unto and to the proper use and benefit of the said Walter Lawrence Nelson, Jr. and Yvonne Carolyn Nelson, his wife, their heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

Test.

Elmer H. Balderson (Seal)

Meredith R. Wilson

Elmer H. Balderson

Meredith R. Wilson

Laura E. Balderson (Seal)

Laura E. Balderson

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, That on this 13th day of August, in the year one thousand nine hundred and forty-eight, before me the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County personally appeared Elmer H. Balderson and Laura E. Balderson, his wife the Grantors named in the above Deed and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

(Notarial Seal)

Meredith R. Wilson

Meredith R. Wilson Notary Public

(Recorded Sep 2 1948 at 10:00 AM & exd per) T. Braden Silcott - Clerk (Red by dps

EXD BY ARM&AJ

62591 Elmer G Runge et al) THIS DEED Made this twenty-sixth day of August in the
Asgt to Leonard A Kavanagh et al) year nineteen hundred forty-eight by and between Elmer
US-\$8.25--SS-\$8.25-----> G. Runge and Amelia J. Runge, his wife, of the first
part and Leonard A. Kavanagh and Elizabeth M. Kavanagh, his wife, of the second part, all
of Baltimore County in the State of Maryland.

WITNESSETH that in consideration of the sum of Five Dollars and other valuable considerations the said Elmer G. Runge and Amelia J. Runge, his wife, do grant and convey unto the said Leonard A. Kavanagh and Elizabeth M. Kavanagh, his wife, as tenants by the entirety, their assigns and the personal representatives and assigns of the survivor, all that lot of ground situate and lying in Baltimore County in the State of Maryland, known and designated as lot No. five hundred twenty-seven (527) on Plat No. 5 of Wilkens Avenue Addition to Elm Ridge, recorded among the Plat Records of Baltimore County on June 12th., 1947, in Plat Book No. 14 folio 9, (a partition wall having been erected between lots Nos. 526 and 527 and another partition wall having been erected between lots Nos. 527 and 528 on said Plat) and the improvements thereon being now known as No. 921 Maiden Choice Lane.

BEING the second lot of ground described in a lease dated April 1st., 1948, recorded among the Land Records of Baltimore County in Liber T. B. S. No. 1659 folio 51 &c., was demised and leased by Elmer G. Runge and wife to Clayton W. Bordley, Inc., subject to the payment of the annual rent of Ninety Dollars, payable semi annually on the first day of April and October in each year. See also deed dated April 1st., 1948, recorded in Liber T. B. S. No. 1659 folio 55 &c., from Clayton W. Bordley, Inc., to the said Grantors.

DEL PER MAIL OCT 15 1952

For Title of said Grantors see deed dated November 28th 1938 recorded in the Land Records of Baltimore County in Liber G W B Jr No 1045 folio 540 and Henry C Weaver and wife See also deed W B C No 638 folio 192 & TOGETHER with the buildings and improvements thereupon and all the rights, privileges and appurtenances there to belonging or in anywise appertaining TO HAVE AND TO HOLD the above described lot of ground and premises unto James A Berg and Anne M Berg his wife as tenants by the entirety their heirs and assigns of the survivor forever in fee simple And the said Grantors hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further acts of the same as may be requisite Witness the hands and seals of the said Grantors

Henry C Weaver

Elmer G Runge

(Seal)

Amelia J Runge

(Seal)

of Maryland Baltimore City to wit:

I HEREBY CERTIFY that on this 27th day of November in the year nineteen hundred fortyfour before me a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared Elmer G Runge and Amelia J Runge his wife and they acknowledged the foregoing deed to be their act and deed Witness my hand and Notarial Seal

(Notarial Seal)

Edwin C Weaver

Notary Public

Recorded Dec 1 1944 at 11:30 A.M. & Exd per
Examiners E&G

Robert J Spittel - Clerk

(Rec MP)

Elmer G Runge & Wife

to

Elmer H Balderson & Wife

of the second part all of Baltimore County in the State of Maryland

Witnesseth that in consideration of the sum of Five Dollars and other valuable considerations the said Elmer G Runge and Amelia J Runge his wife do grant and convey unto the said Elmer H Balderson and Laura E Balderson his wife as tenants by the entirety their assigns and the heirs and assigns of the survivor in fee simple that lot of ground situate and lying in Baltimore County in the State of Maryland

THIS DEED made this twentyseventh day of November in the year nineteen hundred fortyfour by and between Elmer G Runge and Amelia J Runge his wife of the first part and Elmer H Balderson and Laura E Balderson his

known and designated as Lot "X" on Plat of Subdivision of part of Section shown as "reserved" on Plat 5 (recorded Plat Book No 12 folio 65) Part of Elm Ridge filed among the Plat Records of Baltimore County simultaneously with a deed of even date herewith from the said Grantors to Robert L Overman and wife

FOR TITLE of said Grantors see deed dated November 28th 1938 recorded among the Land Records of Baltimore County in Liber C W B Jr No 1045 folio 540 &c from Henry C Weaver and wife See also deed W P C No 638 folio 195 &c

Together with the buildings and improvements thereupon and all the rights privileges and appurtenances thereto belonging or in anywise appertaining

To Have and to Hold the above described lot of ground and premises unto the said Elmer H Balderson and Laura E Balderson his wife as tenants by the entirety their assigns and the heirs and assigns of the survivor forever in fee simple

AND the said Grantors hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurance of the same as may be requisite

Witness the hands and seals of the said Grantors

Test:

Edwin C Weaver

Elmer G Runge (Seal)

Amelia J R (Seal)

STATE OF MARYLAND BALTIMORE CITY TO WIT:

I HEREBY CERTIFY that on this 27th day of November in the year nineteen hundred fortyfour before me a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared Elmer G Runge and Amelia J Runge his wife Grantors herein and they acknowledged the foregoing deed to be their act

Witness my hand and Notarial Seal

(Notarial Seal)

Edwin C Weaver

Notary Public

Recorded Dec 1 1944 at 11:30 A M & Exd per

Examiners E&G

Robert J Spittel - Clerk

(Rec MP)

115335 Walter Lawrence Nelson Jr et al : THIS DEED, Made this 1st day of November in the
Deed to George M. Brandt : year one thousand nine hundred and forty-nine, by
St \$.55 US \$.55 : and between Walter Lawrence Nelson, Jr., and Yvonne
----- Carolyn Nelson, his wife, of Baltimore County
in the State of Maryland, of the first part, and George M. Brandt, of the same place, of
the second part.

WITNESSETH, that in consideration of the sum of Five (\$5.00) dollars, the said
Walter Lawrence Nelson, Jr., and Yvonne Carolyn Nelson, his wife, do grant and convey unto
the said George M. Brandt his heirs and assigns, in fee simple, all that lot of ground,
situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as
follows, that is to say:

BEING , known and designated as Lot "X" on Plat of Subdivision of part of Section
shown as "Reserved" on Plat 5 (recorded Plat Book No. 12 folio 65) Part of Elm Ridge filed
among the Plat Records of Baltimore County) Subject Plat herein being filed among the
Plat Records of Baltimore County in Liber R.J.S. No. 13 folio 96. BEING, the same lot of
ground which by Deed dated August 13, 1948, was granted and conveyed Elmer H. Balderson
et ux, unto the within Grantors, and recorded among the Land Records of Baltimore County
in Liber T.B.S. No. 1681 folio 561 &c.

TOGETHER with the builldings and improvements thereupon erected, made or being and
all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages,
to the same belonging , or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and
mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurte-
nances and advantages thereto belonging or appertaining unto and to the proper use and benefit
of the said George M. Brandt his heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or
suffered to be done any act, matter or thing whatsoever, to encumber the property hereby
conveyed; that they will warrant specially the property granted and that they will execute
such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantors

TEST:	Walter Lawrence Nelson Jr	(SEAL)
	Manuelita E. Muse	Walter Lawrence Nelson, Jr.
	Manuelita E. Muse	Yvonne Carolyn Nelson
		(SEAL)
		Yvonne Carolyn Nelson

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, That on this 1st day of November in the year one thousand nine
hundred and forty-nine, before me, the subscriber, a Notary Public of the State of Maryland
in and for County of Baltimore aforesaid, personally appeared Walter Lawrence Nelson, Jr.,
and Yvonne Carolyn Nelson, his wife, the above named grantors, and they each acknowledged
the foregoing Deed to be their respective act.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal)	Manuelita E. Muse
	Manuelita E. Muse, Notary Public.

Rec Nov 3 1949 at 3:00 P M & exd per (Exd W & B) T Braden Silcott Clerk Rec MK

REC'D SEP 26 1954

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-3102-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

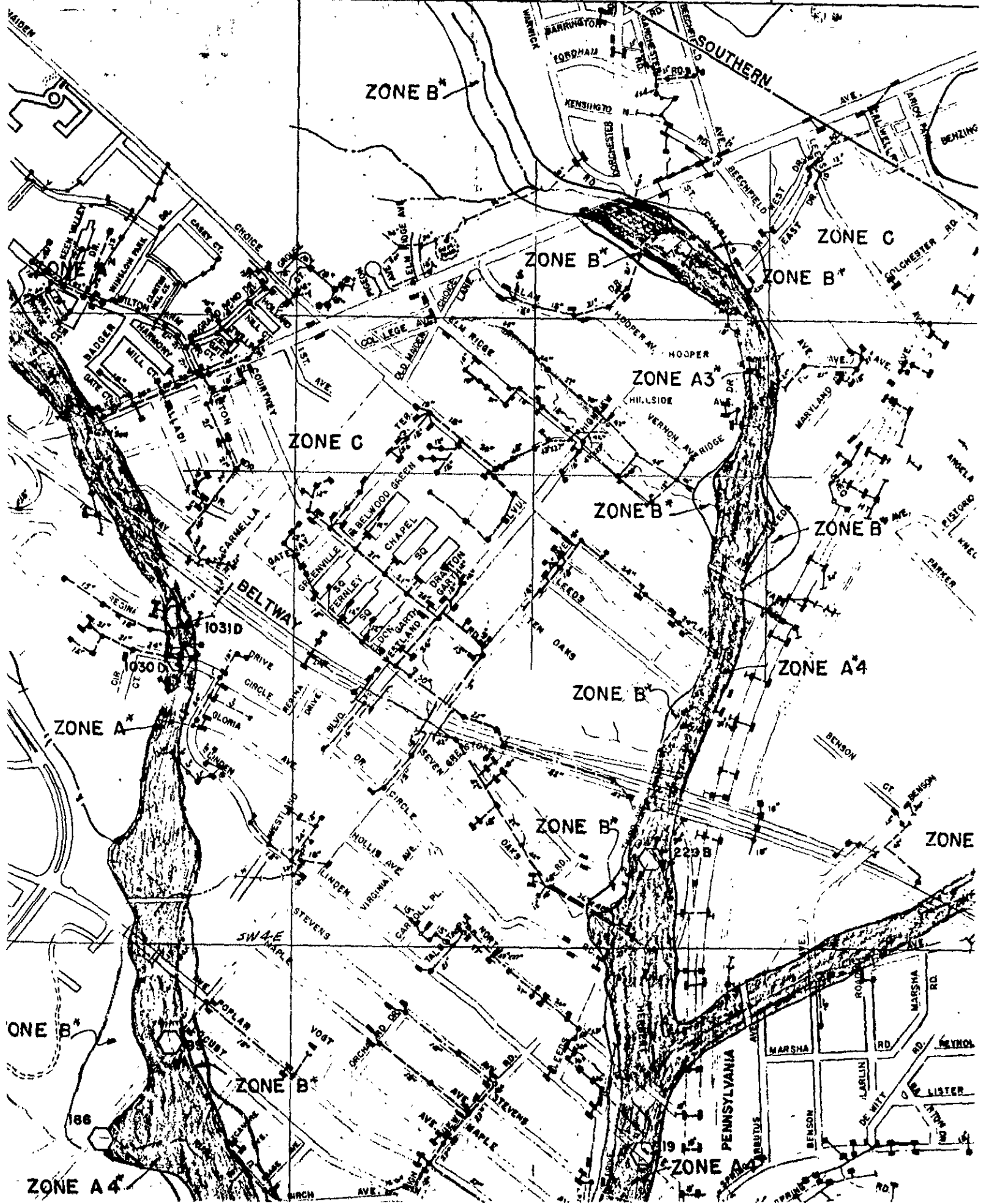
REQUEST: SPECIAL HEARING TO APPROVE AN ACCESSORY
STORAGE BUILDING AS A PRINCIPAL USE ON A VACANT
LOT. VARIANCE TO PERMIT AN ACCESSORY STORAGE
BUILDING AS A PRINCIPAL USE ON A VACANT
LOT IN LIEU OF ON THE SAME LOT AS A
PRINCIPAL DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Post-It® Fax Note 7671		Date 2-5-01 # of pages 1
To	Mr. Moore	
Co./Dept.	Co. RALTO. Co.	
Phone #	887-3391	
Fax #	354-9440	



Caroline Beatty X 3521

APR 14 1961

656185

MICROFILMED



11. 10. 1943

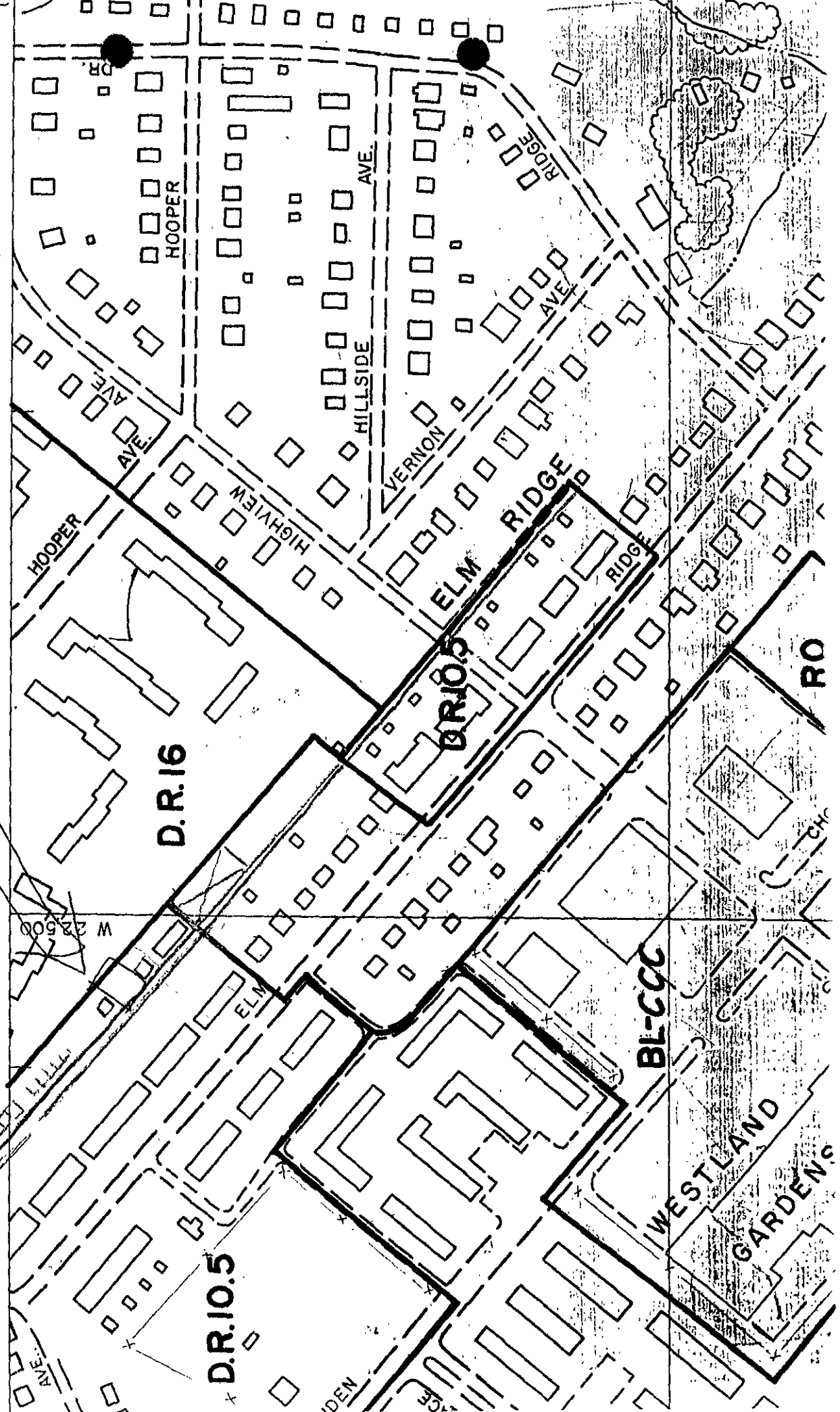
SW 4-D

362

97-362-5PHA

SITE

MICROFILMED



John T. John, Registered Surgeon,
New Windsor, Md.
Geo. Becker John, Assistant Surgeon
Union Bridge, Md.

FILED FOR RECORD WITH Deed
FROM James B. Rogers
TO Frank W. A. Hastings
Mar 13, 1941
Test Phreda May at Still
CLERK



PLAT TO ACCOMPANY PETITION FOR ZONING

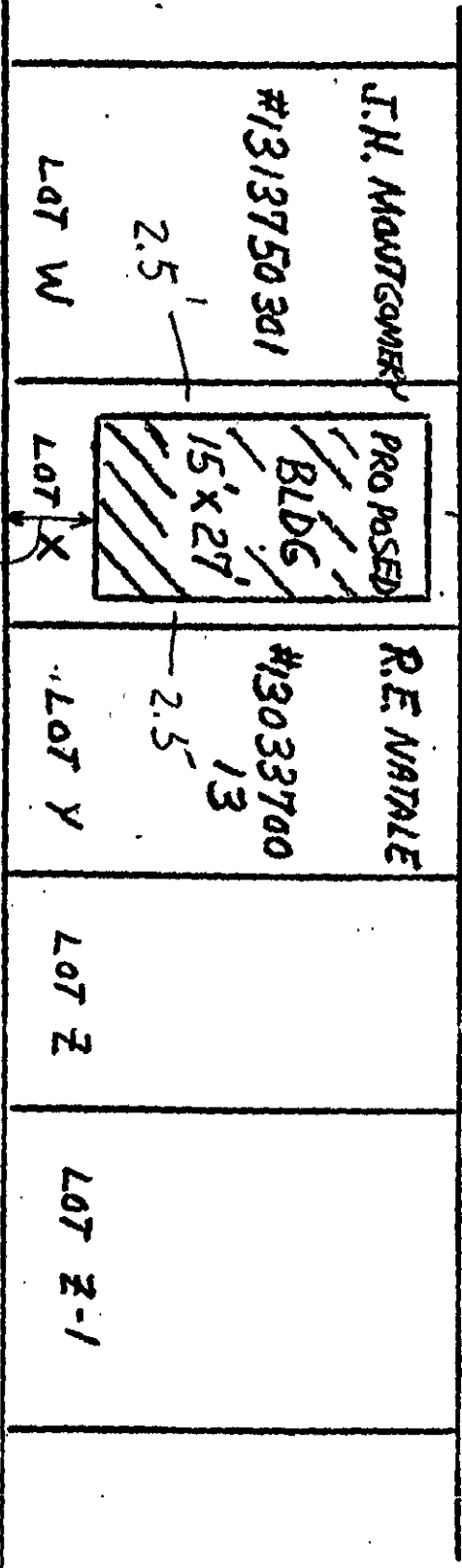
☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS: REAR OF LOT 470 ELM RIDGE AVE
SUBDIVISION NAME: ELM RIDGE
PLAT BOOK C.H.K. 13, FOLIO 96, LOT X
OWNER BALTIMORE COUNTY, MARYLAND

97-362-5PHA

EXEMPT FROM RECORDERS

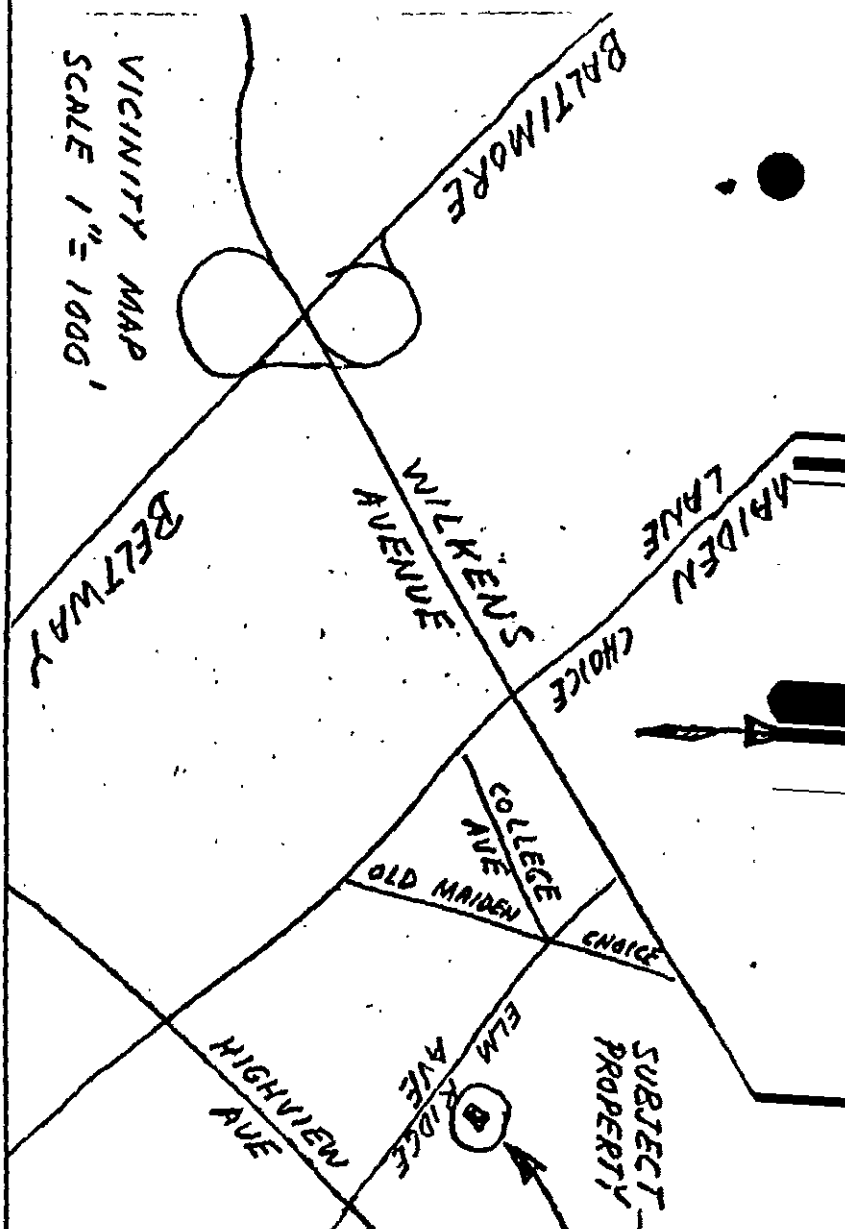
EXEMPT



WILKENS AVE 15 FOOT ALLEY HIGHVIEW AVE

LOT 469 J.H. MAUTGOMER #1313750300	LOT 470 N.C. LANDAVERE #1302000012	LOT 471 R.E. NATALE #130337	LOT 472	LOT 473
--	--	-----------------------------------	---------	---------

ELM RIDGE AVE SCALE OF DWG: 1"=20'



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13

ZONING DR 5.5
LOT SIZE 0.017
ACREAGE 740
SQUARE FEET

SEWER: ☒ PUBLIC ☐ PRIVATE
WATER: ☒ ☐

CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # 362 CASE #

April 3, 1997

Dear Mr. Commissioner:

I am seeking permission to buy this property from Baltimore County and to build a accessory storage building on it for our personal belongings. The zoning legal description of the property is a garage lot. The property was subdivided in August 1944 and designated as lot "X" on Plat records in Plat book C. H. K. no. 13, folio 96.

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I am retired and plan to move to the Charlestown Retirement Community to join my wife who already lives there. The property is within walking distance of Charlestown. I will be moving from our home of 41 years and have too many treasured personal belonging to fit into our Charlestown apartment.

I have copies of various papers such as deeds, tax statements, zoning maps, storm water drain map and drawing, letter to Chief of Bureau Land Acquisition, Certificate of Posting with photographs, plat of property, photographs of neighborhood surrounding property, and sketch of proposed accessory storage building available to view and discuss as you desire.

Thank you.

Sincerely yours,

James F. Fawcett
James F. Fawcett

RECEIVED
APR 11 1997
2

APR 11 1997

25-SP--13-222

THIS DEED, Made this 24th day of October

, 1991, by

and between JAMES R. GIBSON, JR., Director of Finance for Baltimore County and Collector of State and County Taxes for said County, party of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part.

WHEREAS, the hereinafter described fee simple property was sold on or about the 20th day of May, 1985, for delinquent taxes by Annette Grim, Director of Finance for Baltimore County and Collector of State and County Taxes for said County, to Baltimore County, Maryland, as shown by a Certificate of Tax Sale dated June 14, 1985, issued by Annette Grim the Director and Collector as aforesaid, to Baltimore County, Maryland, pursuant to the provisions of Tax-Property Article, Section 14-808, et seq of the Annotated Code of Maryland; and

WHEREAS, after the expiration of one year and a day from the date of said Certificate of Tax Sale, the property hereinafter described not having been redeemed, the said Baltimore County, Maryland, a body corporate and politic, filed in the Circuit Court for Baltimore County a Bill of Complaint to foreclose any equity of redemption held by any person or persons in said hereinafter described property, in accordance with the provisions of said Tax-Property Article, Section 14-808, et seq of the Annotated Code of Maryland, said proceedings being entitled "Baltimore County, Maryland versus George M. Brandt" and recorded in the Office of the Clerk of the Circuit Court for Baltimore County in Civil-Special Proceedings Docket S.M. No. 32, folio 208, Case No. 87-CSP-1891; and

11/07.
#69678 C001 R02 T11

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

11-6-91

(I)

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND

Per Banner 20
Authorized Signature

Date 11/6/91 Sec. 33-139 A

MICROFILMED

WHEREAS, by Judgment of the Circuit Court for Baltimore County, passed in said cause on the 31st day of July, 1991, an absolute and indefeasible title in fee simple in and to said property vested in said Baltimore County, Maryland as will more fully appear from said proceedings recorded as aforesaid; and

WHEREAS, JAMES R. GIBSON, JR. has succeeded Annette Grim as Director of Finance for Baltimore County and Collector of State and County Taxes for said County.

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of the premises and the sum of One Dollar and other valuable considerations, the receipt whereof is hereby acknowledged, the said James R. Gibson, Jr., Director of Finance for Baltimore County and Collector of State and County Taxes for said County, party of the first part, by virtue and in pursuance of the power and authority vested in him under the aforesaid Judgment, does hereby grant and convey unto the said party of the second part, Baltimore County, Maryland, its successors and assigns, in fee simple, all that lot of ground situate in the Thirteenth Election District of Baltimore County, State of Maryland and being more particularly described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. X as shown on the plat of "PLAT SUBDIVISION PART OF SECTION SHOWN AS "RESERVED" ON PLAT 5 PART OF ELM RIDGE LOTS W-Z & Z-1", which plat is recorded among the Plat Records of Baltimore County in Plat Book C.H.K. No. 13, folio 96. Also shown on plat of "PLAT 5, ELM RIDGE", recorded among the aforesaid Plat Records in Plat Book C.W.B., Jr. No. 12, folio 65, situated on a 15' alley at the rear of Lot No. 470.

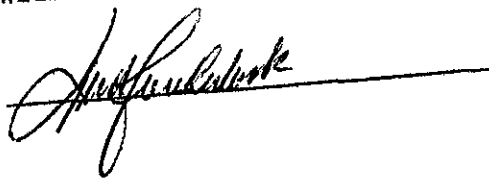
FOR TITLE SEE: Deed dated November 1, 1949 from Walter Lawrence Nelson, Jr. and Yvonne Carolyn Nelson, his wife, to George M. Brandt, said deed being recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1787, folio 419.


TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto and to the proper use and benefit of the said Baltimore County, Maryland, its successors and assigns, in fee simple, forever.

WITNESS the Hand and Seal of the said party of the first part, Director of Finance for Baltimore County and Collector of State and County Taxes for said County.

WITNESS:

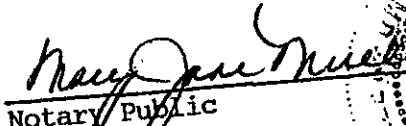



 (SEAL)
JAMES R. GIBSON, JR.
Director of Finance for Baltimore
County and Collector of State and
County Taxes for said County

STATE OF MARYLAND, COUNTY OF BALTIMORE, To Wit:

I HEREBY CERTIFY that on this 24th day of October, 1991, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared James R. Gibson, Jr., Director of Finance for Baltimore County, Maryland, and Collector of State and County Taxes for said County, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same, in the capacity therein stated, for the purpose therein contained.

WITNESS my Hand and Notarial Seal.


Notary Public



Reviewed for form and legal sufficiency
and approved for execution this 21 day
of October, 1991.

William D. Jensen
Assistant County Attorney

This is to certify that the within instrument was prepared under the supervision of the Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

Dennis F. Maloney
Title Examination Supervisor

10/4/91

DFM:SJB:mmw

Account Number:13-02-650710

AFFIDAVIT OF CONSIDERATION

I, Dennis F. Maloney, hereby certify under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the grantee, is in the sum total of \$NONE.

WITNESS:

Baltimore County
Bureau of Land Acquisition

Sara S. Blazens

Dennis F. Maloney (AFFIANT)

October 9, 1991
Date

4

S 44° 35' E						
26.02'	21.01'	20.01'	20.01'	26.02'	N 15° 04' E Reserved.	
37.13	37.84	37.95	38.06	38.20		
W	X	Y	Z	Z-1		
26'	20'	20'	20'	26'		

← Maiden Choice Lane 15 FOOT ALLEY → Leeds Ave.

68	26'	20'	20'	20'	26'	15 FT. To 4th Ridge Ave. ALLEY
	469	470	471	472	473	
		1477	(PLAT 5)			
			HOUSE #949	HOUSE #951	HOUSE #953	

PLAT
SUBDIVISION PART OF
SECTION SHOWN AS
RESERVED ON PLAT 5
PART OF ELM RIDGE
LOTS W-Z & Z-1
Scale 1"=20' Aug. 1944
J.R. McCrone, Jr.
Annapolis, Md.

Filed for Record -
With Deed From:
Elmer G. Runget &
To: Robert L. Overman
& wife.
Dec. 1, 1944
Test: Robert G. Spittel
C. Monk.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
NE/S Alley, 700'+/- NW from Highview Ave,	*	ZONING COMMISSIONER
adjacent to 470 Elmridge Avenue (Lot X,		
Pat Elm Ridge 13/96), 13th Election	*	OF BALTIMORE COUNTY
District, 1st Councilmanic		
	*	CASE NO. 97-362-SPHA
Legal Owner(s): Baltimore County, Maryland		
Contract Purchaser: James F. Fawcett	*	
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

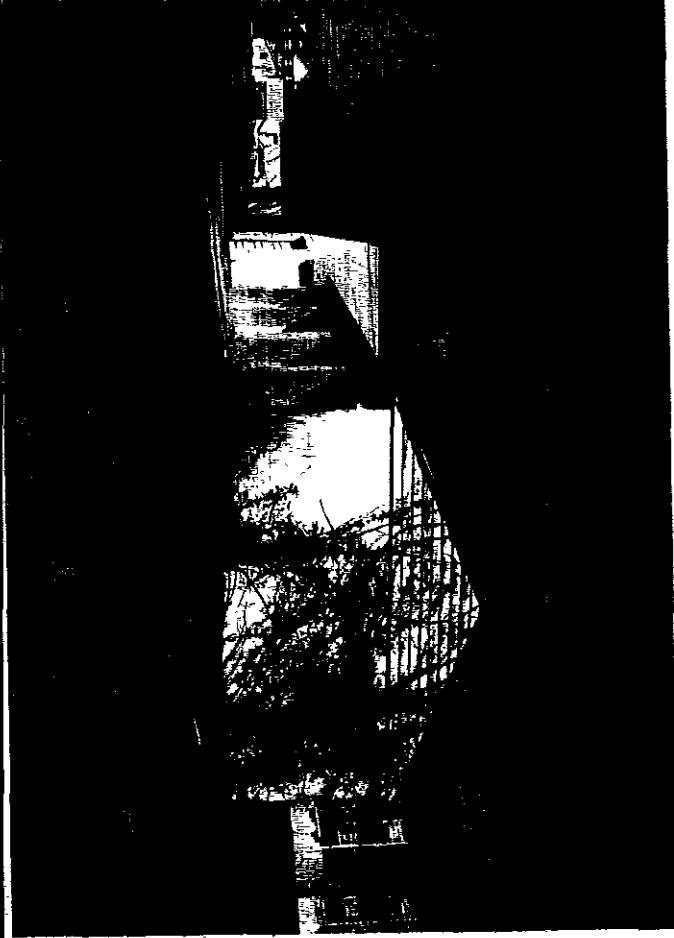
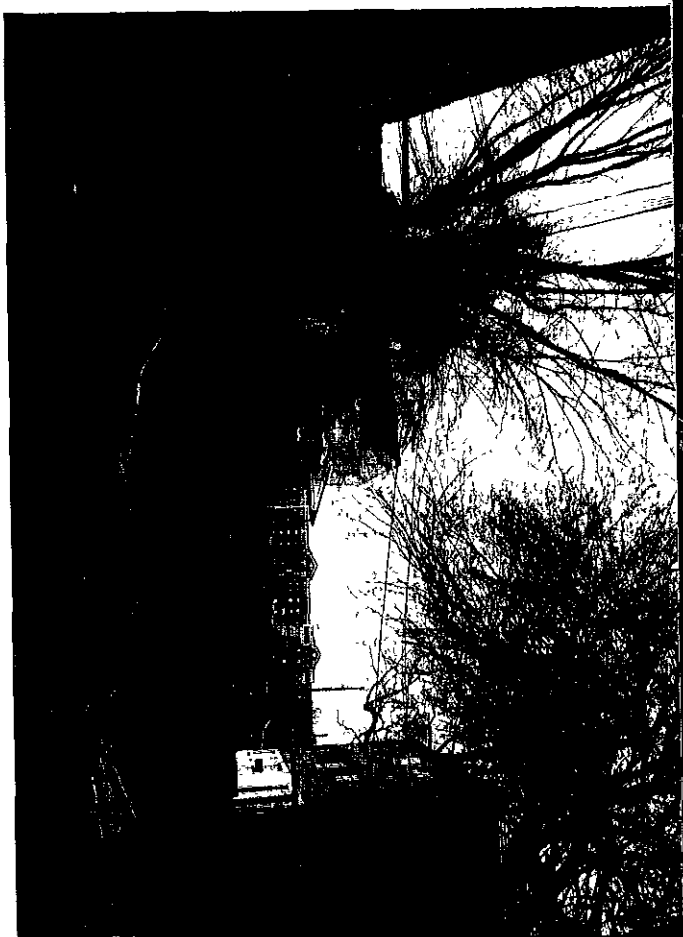
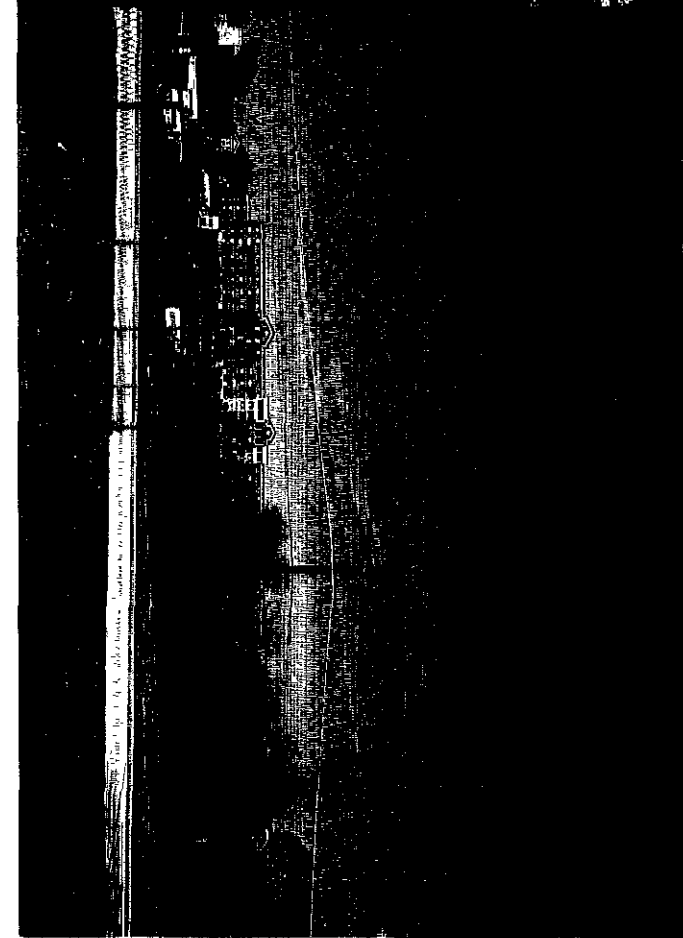
CERTIFICATE OF SERVICE

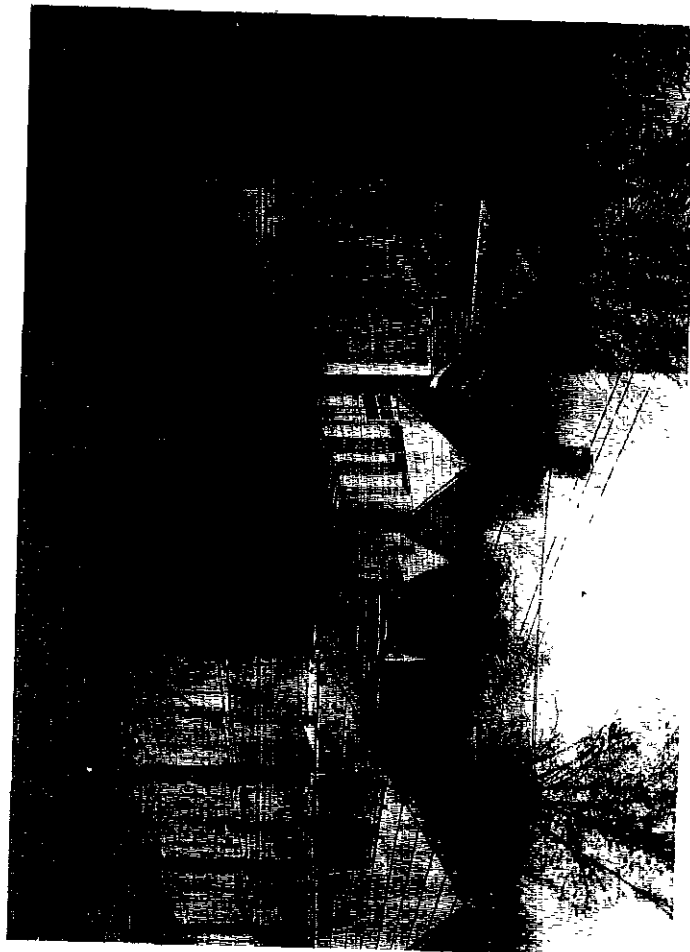
I HEREBY CERTIFY that on this 28th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Director Baltimore County PDM, 111 Chesapeake Avenue, Towson, MD 21204, and to J. Fawcett, 223 Rollingfield Road, Baltimore, MD 21228, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



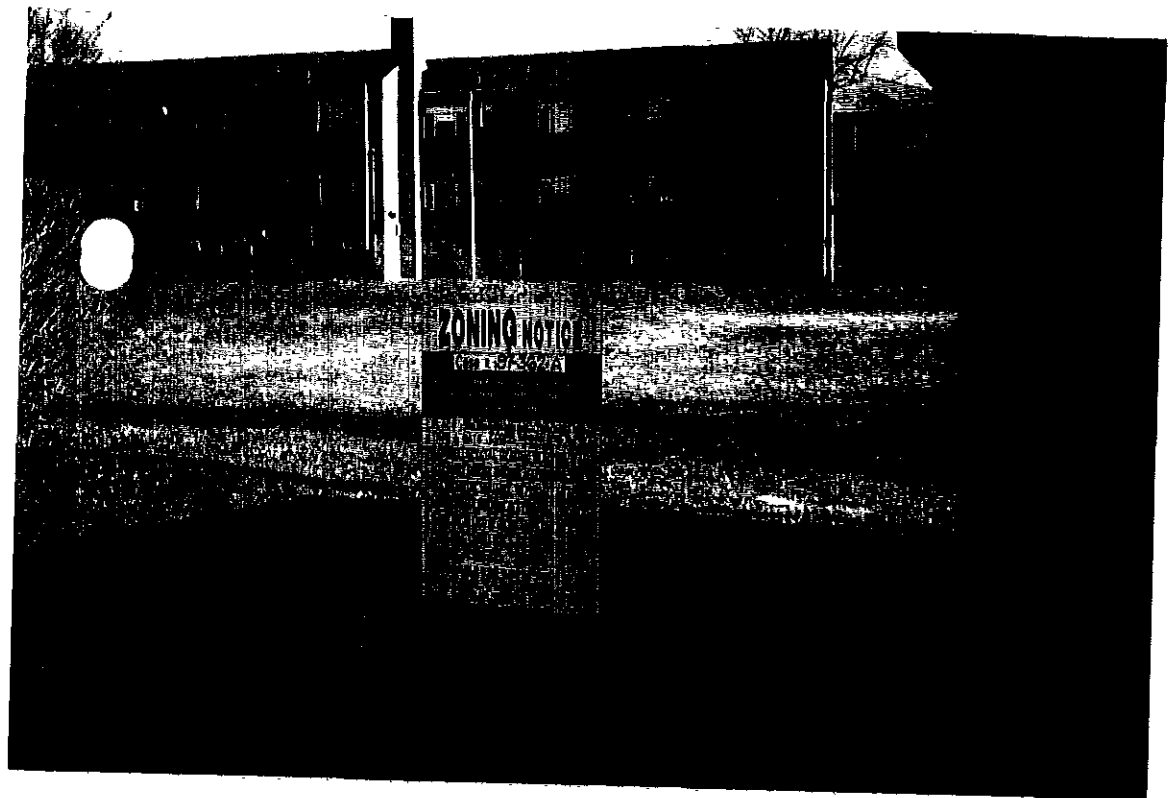


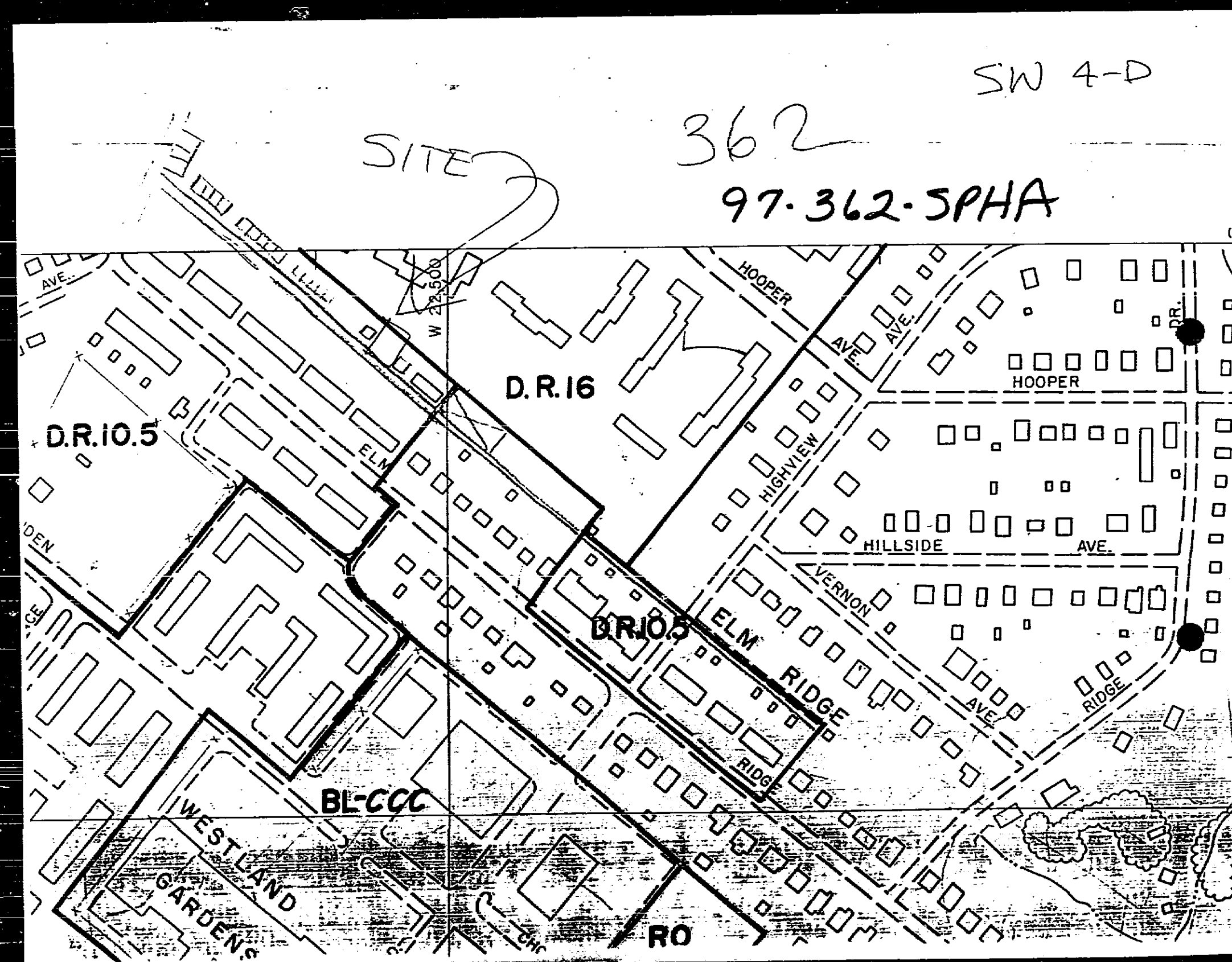
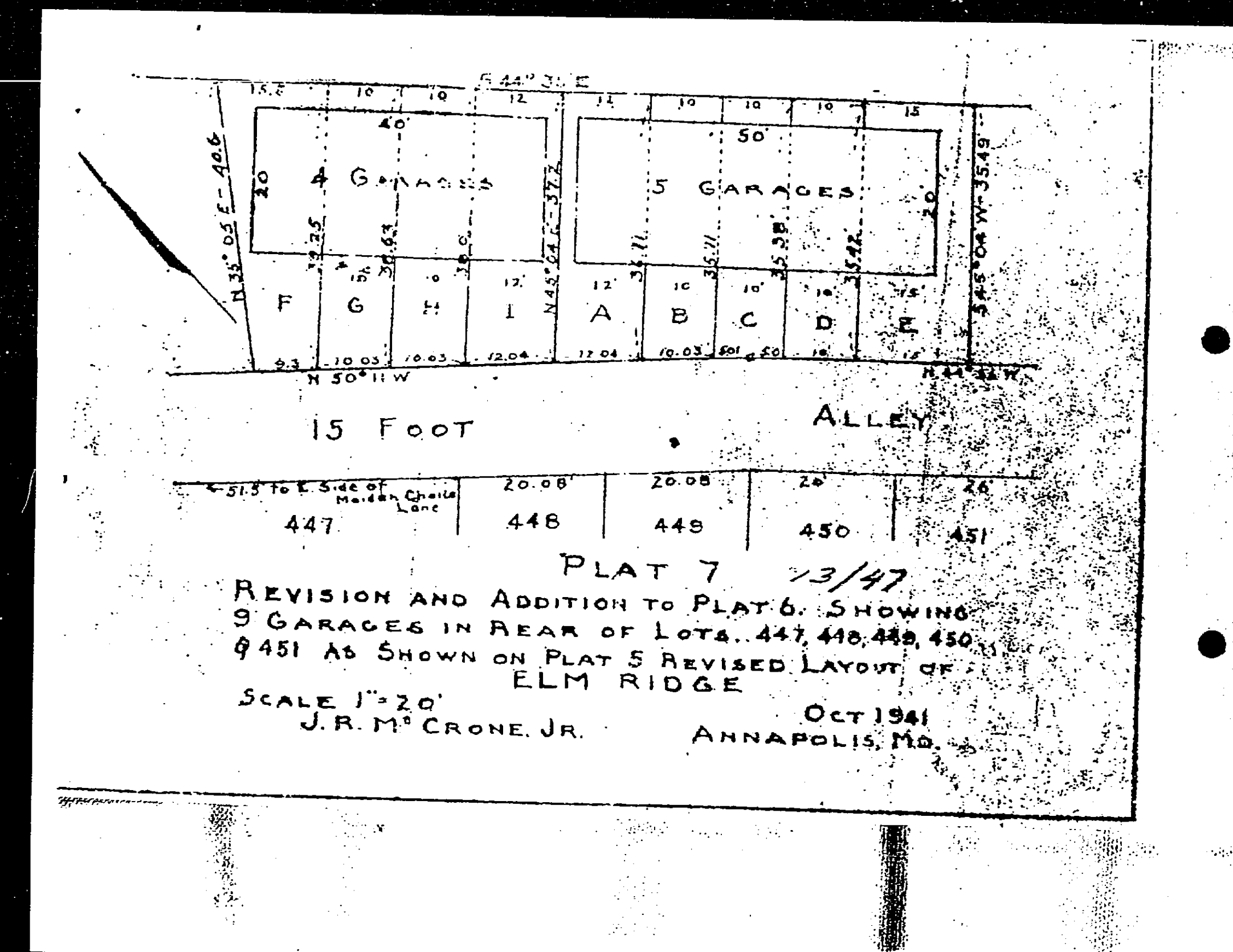
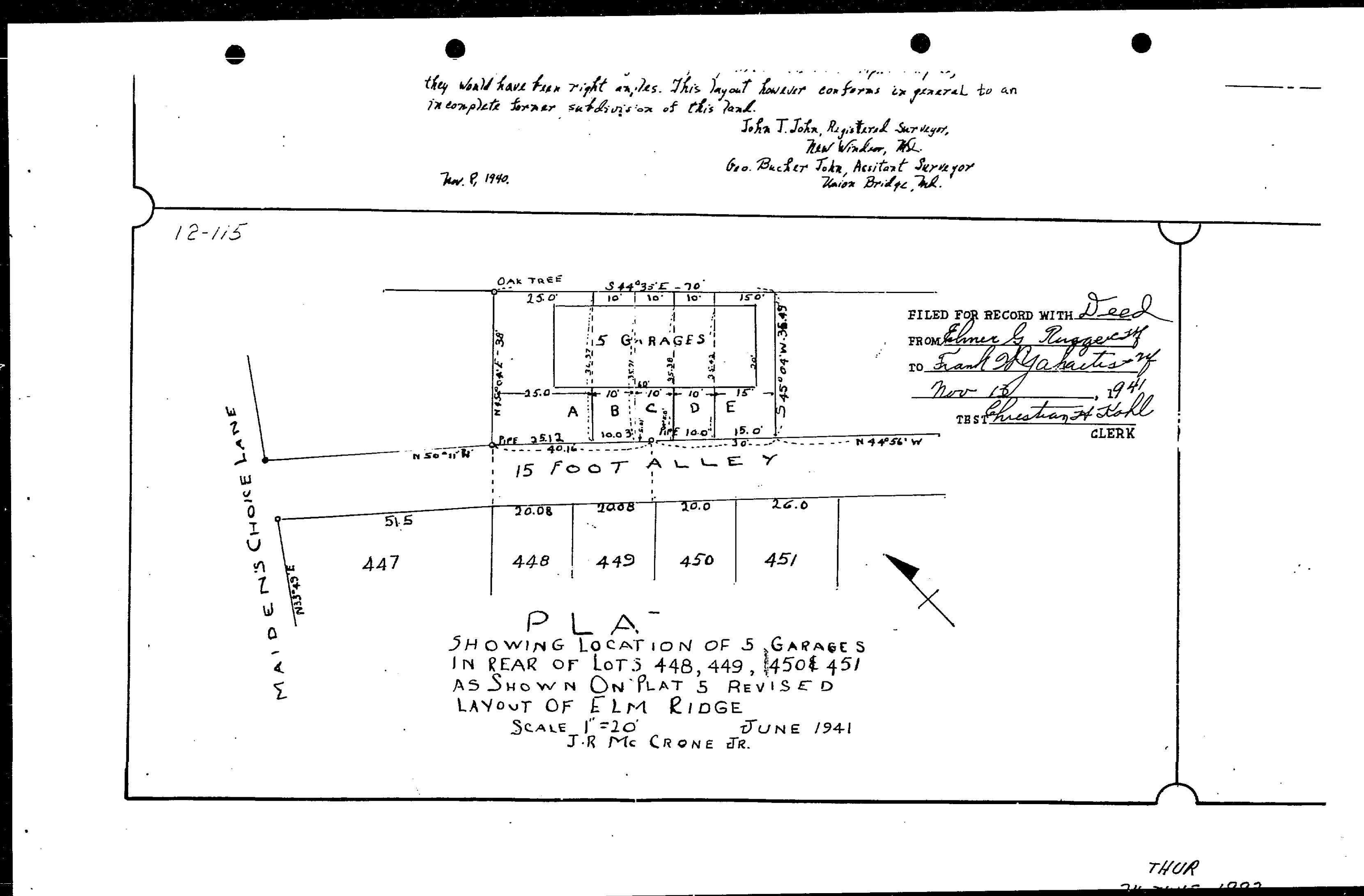




COMING NOTICE

100-442790-100



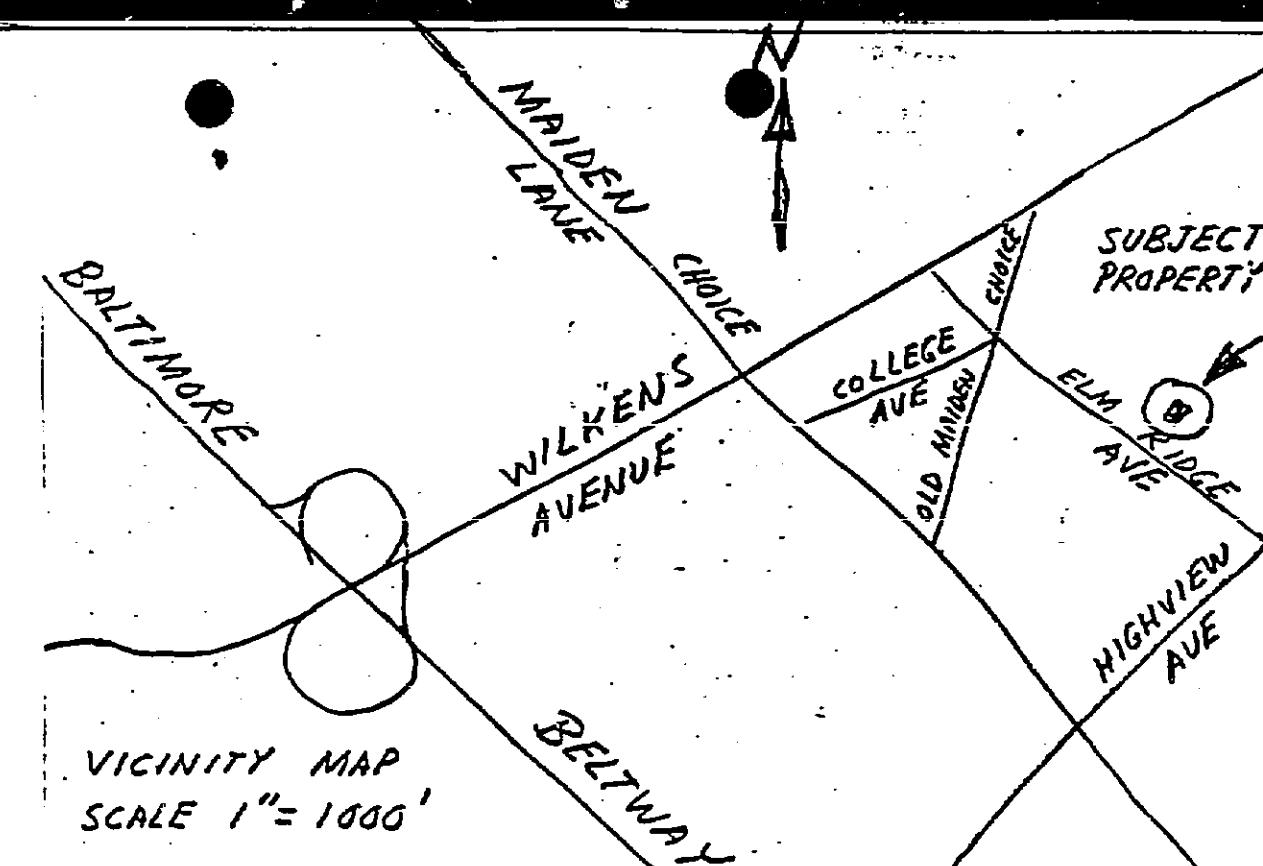


PLAT TO ACCOMPANY PETITION FOR ZONING
☒ VARIANCE ☒ SPECIAL HEARING
PROPERTY ADDRESS: REAR OF LOT 470 ELM RIDGE AVE
SUBDIVISION NAME: ELM RIDGE
PLAT BOOK C.H.K. 13, FOLIO 96, LOT X
OWNER BALTIMORE COUNTY, MARYLAND

97-362-5PHA
PETITIONER'S
COUNT

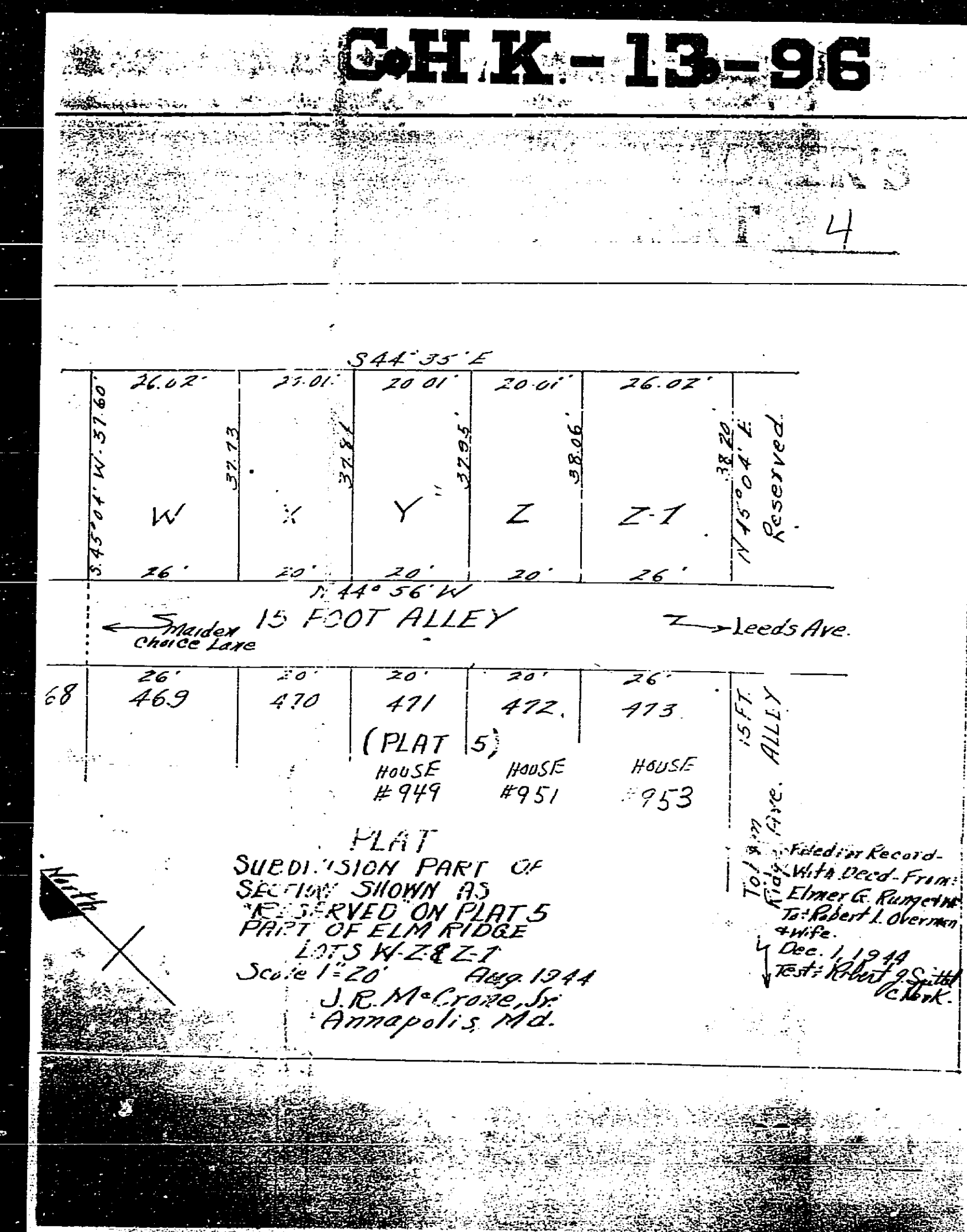
J.H. MONTGOMERY #1313750301 2.5'	PROPOSED BLDG 15'x27'	R.E. NATALE #1303370013 2.5'	LOT Z	LOT Z-1
WILKENS AVE	7.5'	15 FOOT ALLEY	HIGHVIEW AVE	
LOT 469 J.H. MONTGOMERY #1313750300	LOT 470 N.C. LANDAVERE #1303370012	LOT 471 R.E. NATALE #1303370012	LOT 472	LOT 473
ELM RIDGE AVE				

SCALE OF DWG: 1"=20'



LOCATION INFORMATION
COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING DR 5.5
LOT SIZE 0.017 ACREAGE
740 SQUARE FEET
PUBLIC PRIVATE
SEWER: ☒ ☐
WATER: ☒ ☐
CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #
JUN 362



April 3, 1997

Dear Mr. Commissioner:

I am seeking permission to buy this property from Baltimore County and to build a accessory storage building on it for our personal belongings. The zoning legal description of the property is a garage lot. The property was subdivided in August 1944 and designated as lot "X" on Plat records in Plat book C. H. K. no. 13, folio 96.

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Thank you.

Sincerely yours,
James P. Fawcett
James P. Fawcett

COMMISSIONER'S
OFFICE
APR 11 1997

LOCK 0966 PAGE 230

25-SP--13-222

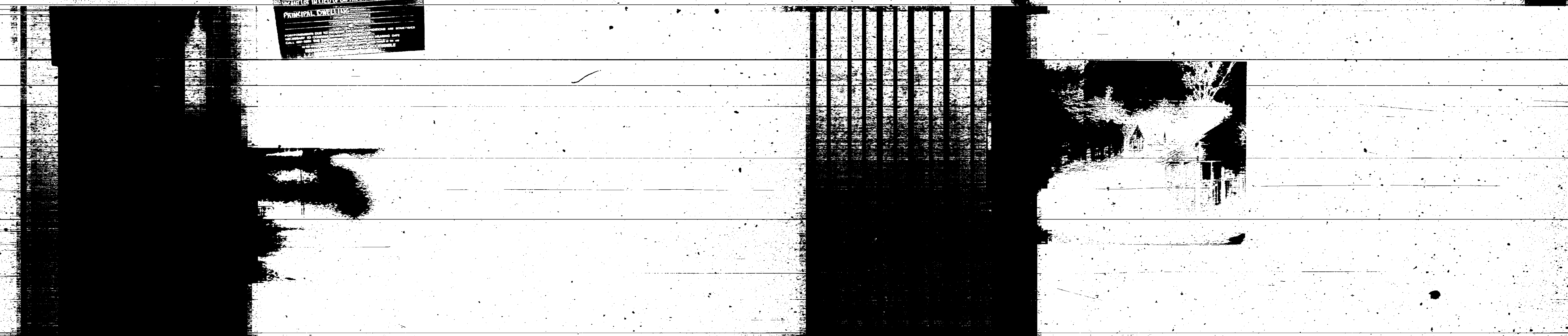
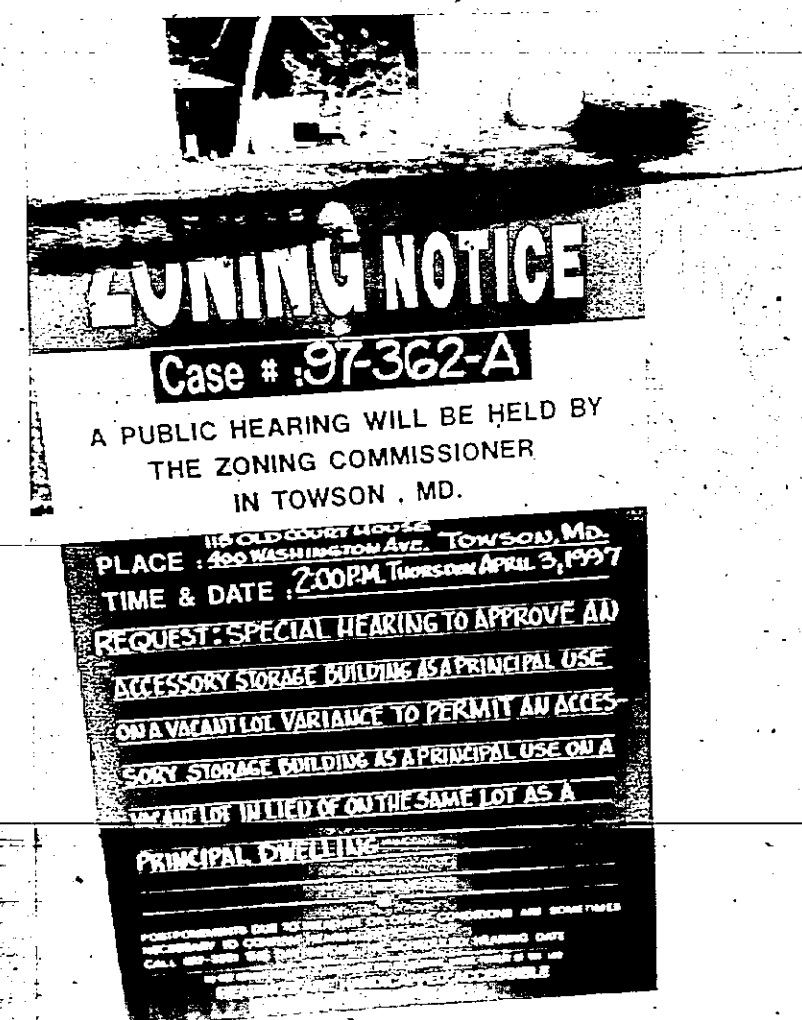
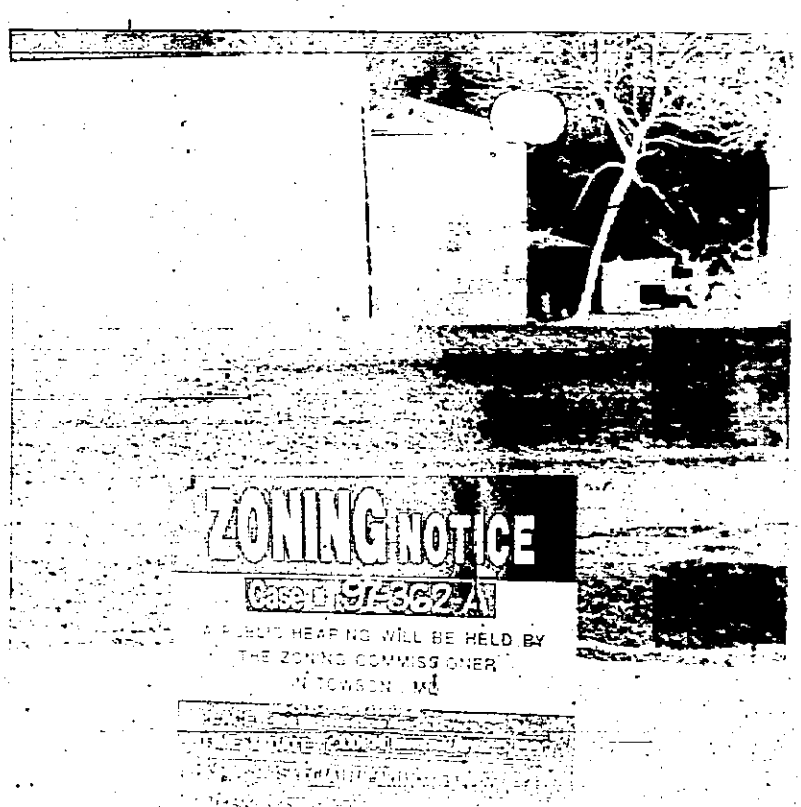
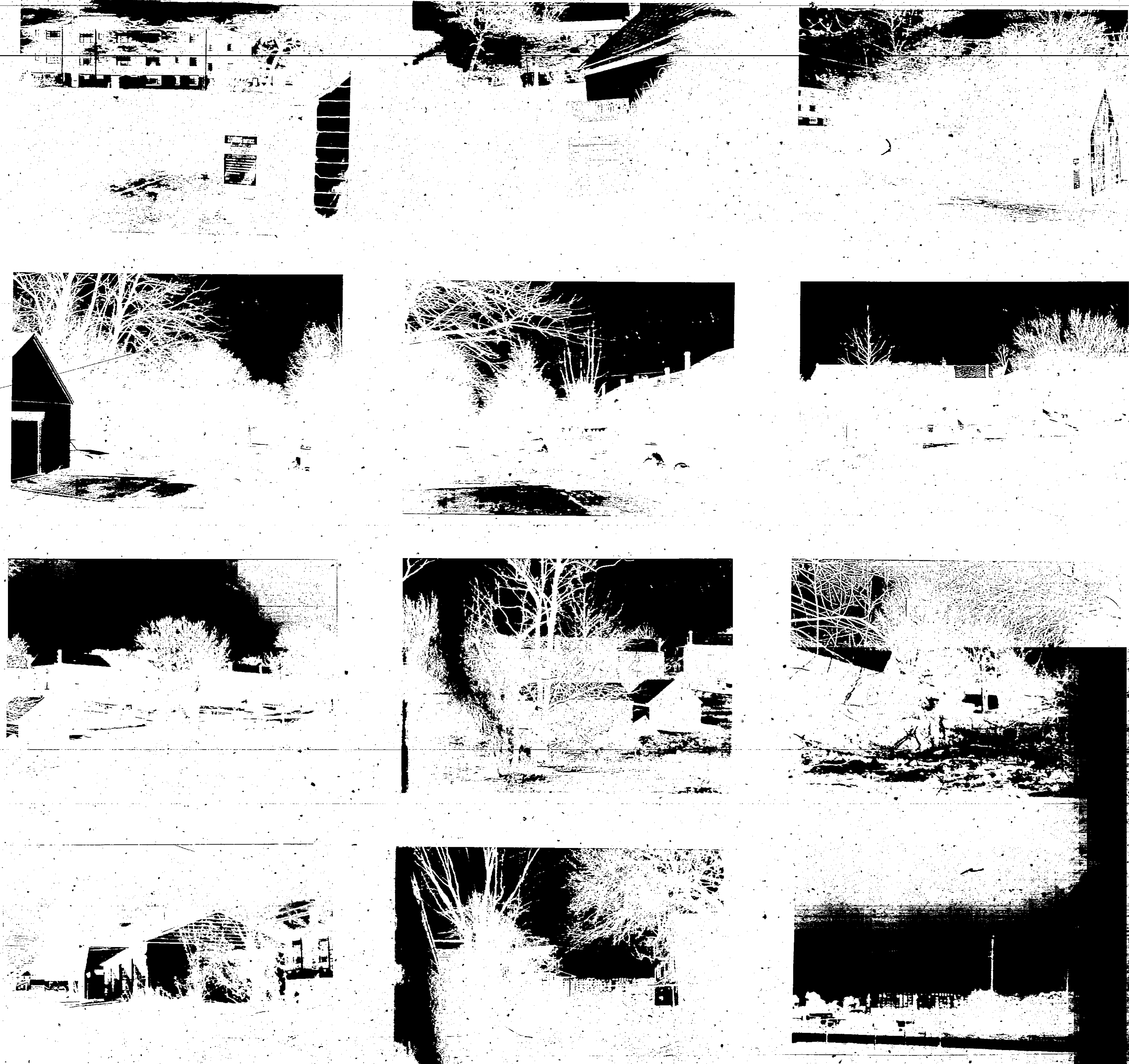
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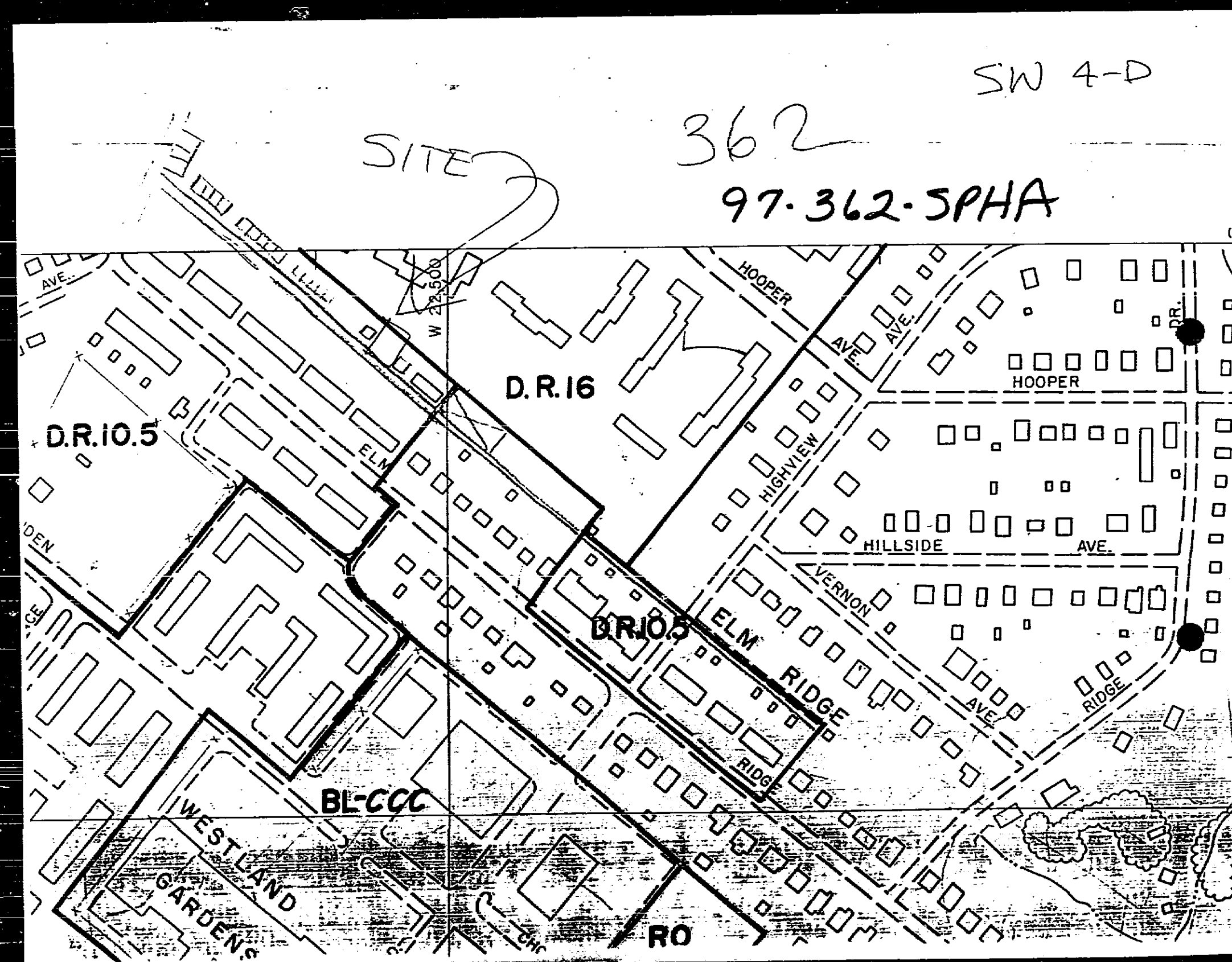
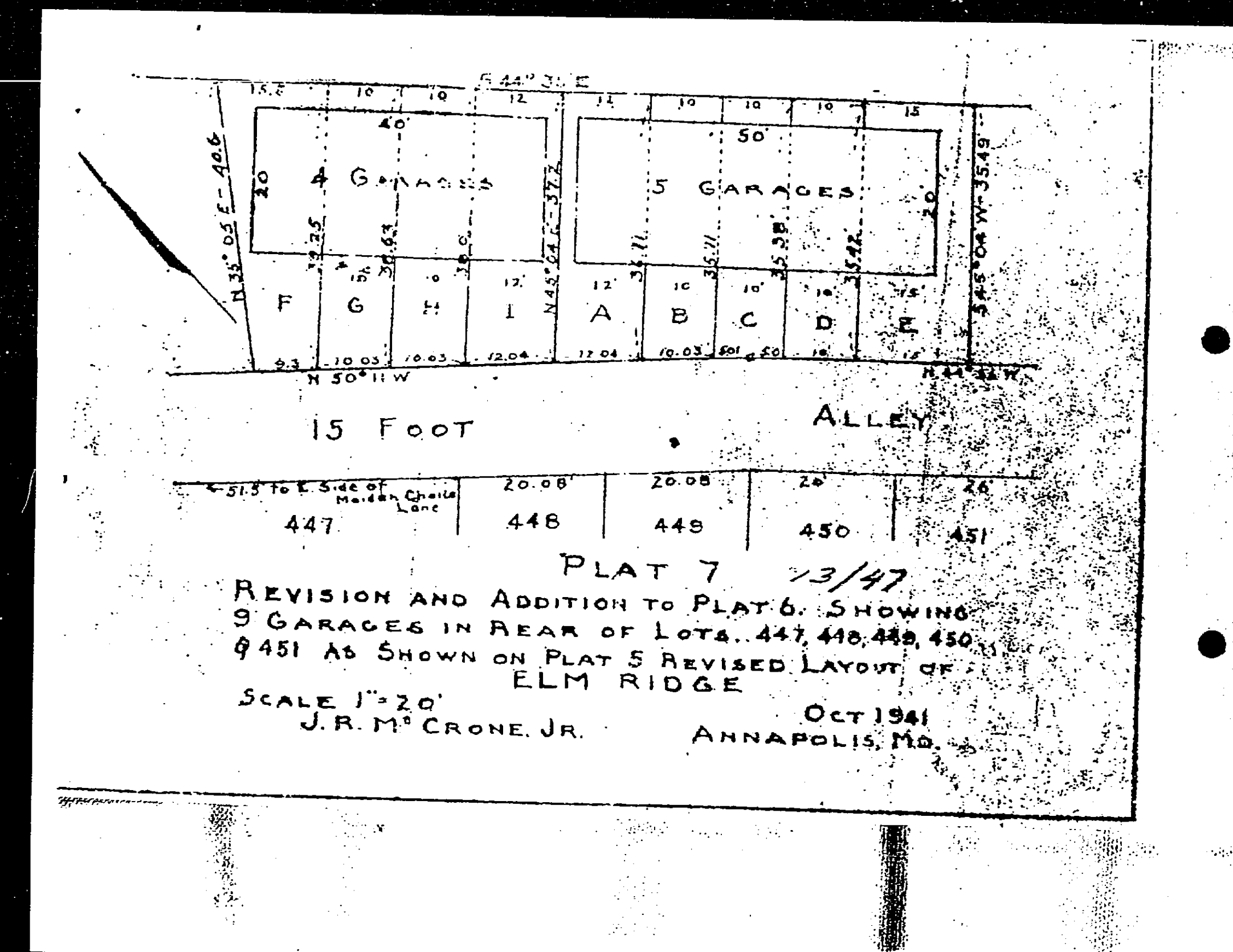
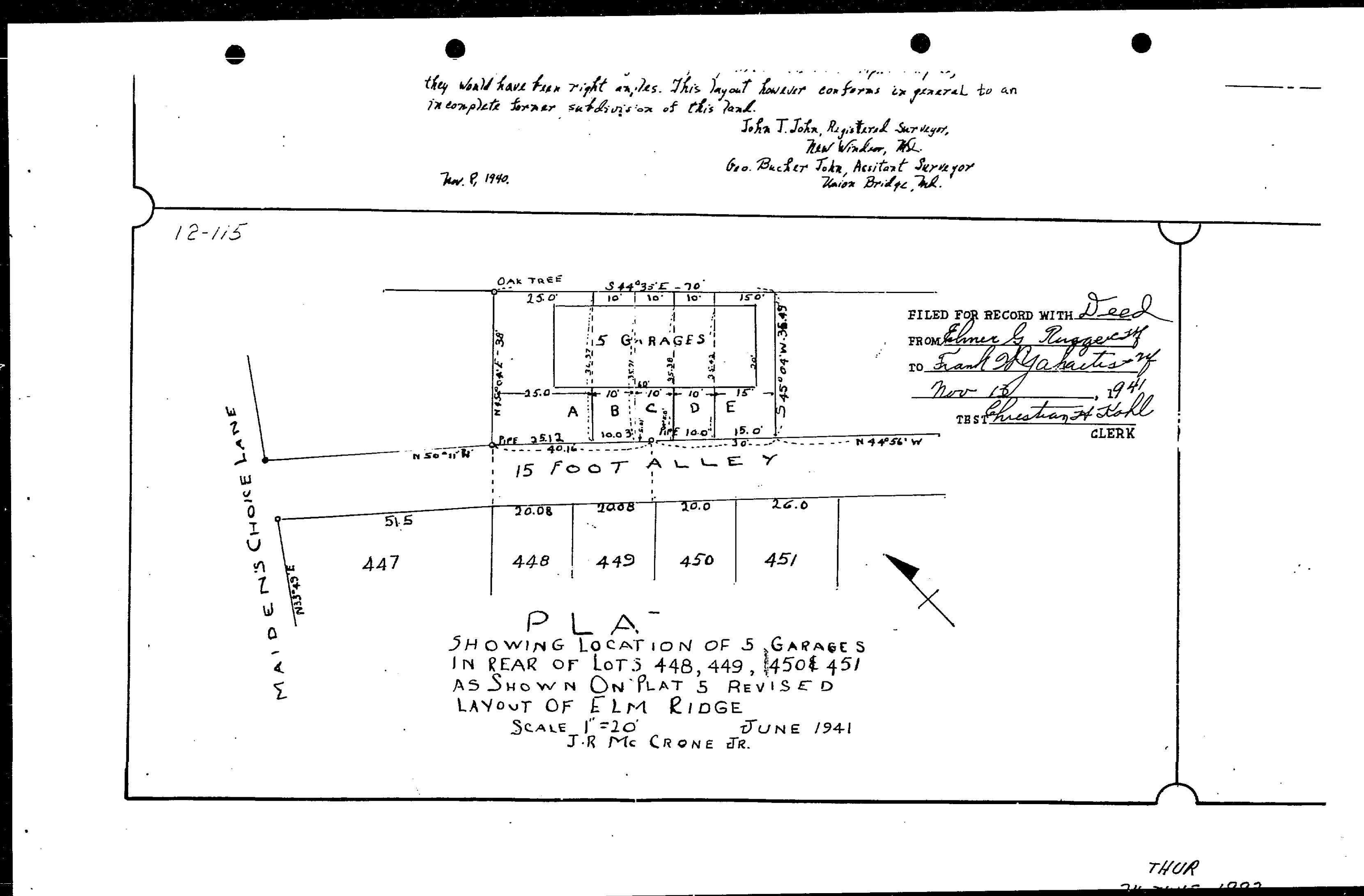
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AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
RECEIVED FOR TRANSFER TAX
State Department of
Assessments & Taxation
for Baltimore County
DATE 11-6-91

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Per James P. Fawcett
Date 11/6/91 Sec. 33-103 A
MICROFILMED





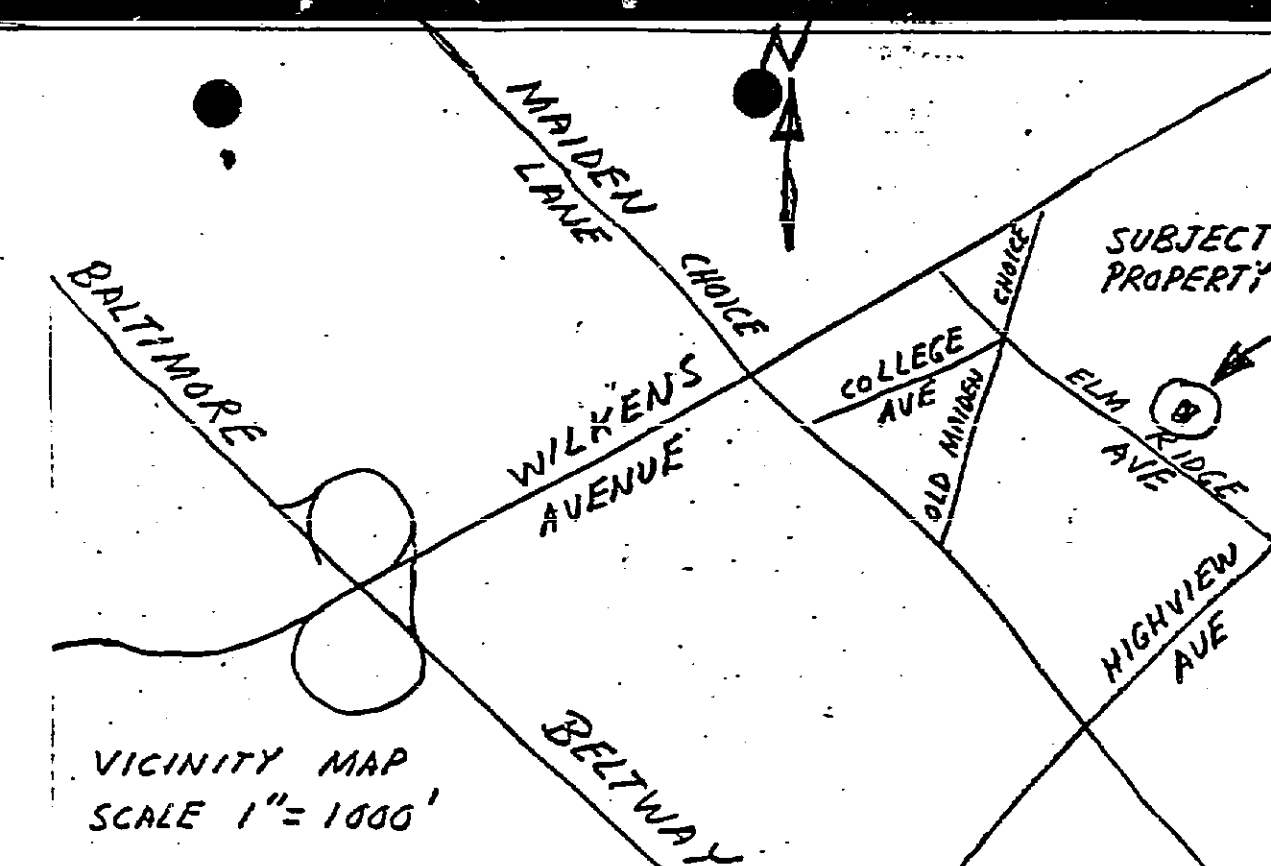
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97-362-5PHA

PETITIONER'S
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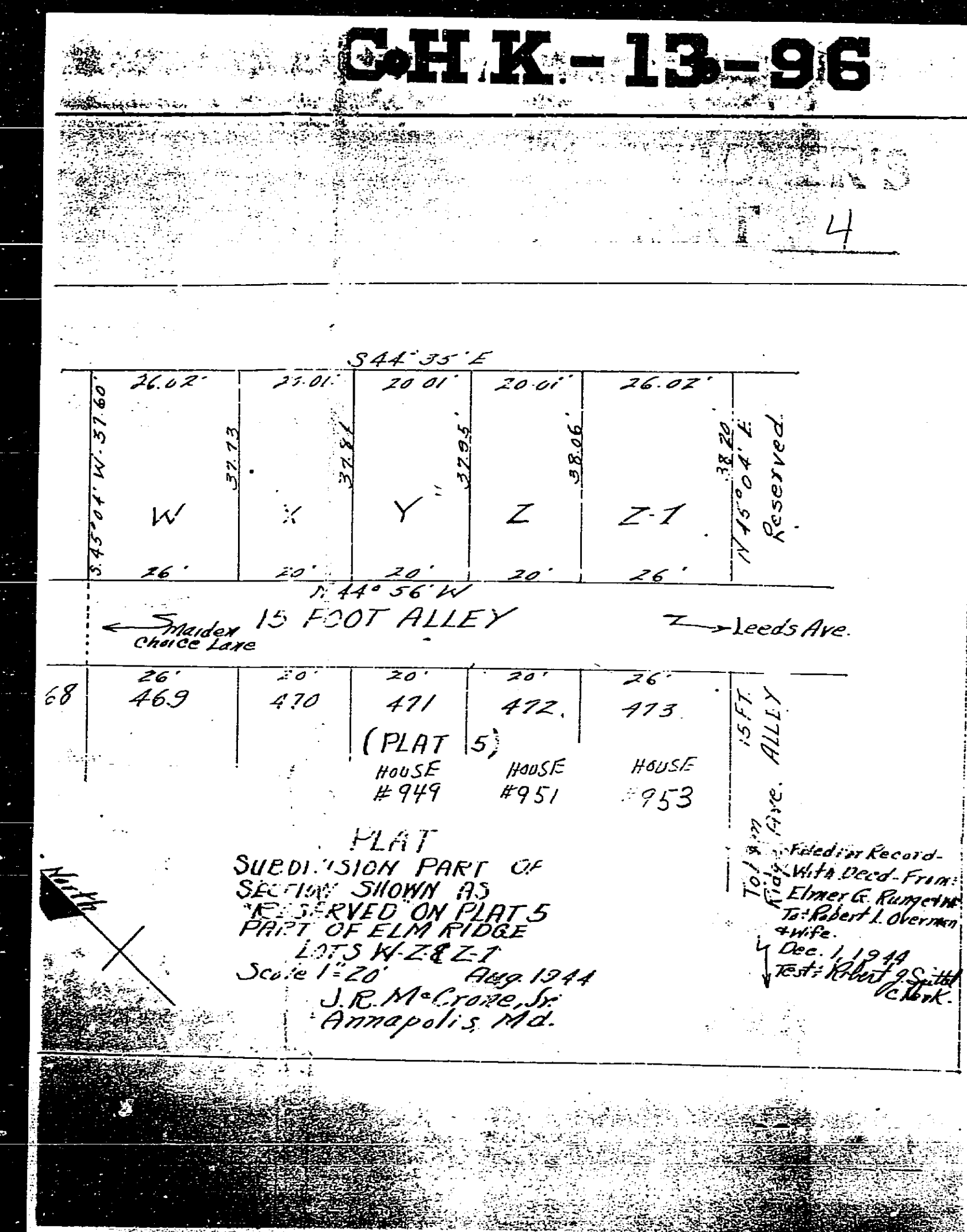
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James P. Fawcett

COMMISSIONER'S
OFFICE
APR 11 1997

LOCK 0966 PAGE 230

25-SP-13-222

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BALTIMORE COUNTY MARYLAND
Per James P. Fawcett
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MICROFILMED

